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The Outlook

OCTOBER 15, 1910

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PORTUGAL A REPUBLIC

Reports from Lisbon are confused and fragmentary, but the monarchy has fallen and a republic has been proclaimed. The revolution was not accomplished without much rioting and bloodshed, but both rioting and bloodshed were less than might have been feared. The young King, Manuel II, and his mother, the Queen Dowager Amalia, escaped in safety from Lisbon, the capital, to Gibraltar, and another terrible royal murder like that of two years and a half ago, when the late King and the Crown Prince were killed, was averted. The army and navy, however, have been so long smoldering with republican agitation that when the spark came to ignite the revolutionary magazine they were ready to flame into instant action, and the royal government was taken completely by surprise. The event taken advantage of by the insurrectionists was the murder of Professor Bombarda, a well-known republican, by a lunatic. Of course people of calm judgment would have regarded this murder as the act of a demented man, but to the extreme revolutionists it seemed a political crime, and it was used by them to incite the people of Lisbon against the monarchy. Placards were widely circulated stigmatizing the murder as a political assassination, and calling on the people to rise and end the monarchical régime which had permitted such a deed. Groups of excited workmen gathered round the placards and began to shout, "Down with the monarch!" The cry was rapidly taken up and repeated. If any one expressed views contrary to those of the placard, he was hustled and stoned. Rioting began, and when the police tried to restore order they were met by republicans armed with revolvers. The rioters went to the artillery barracks and persuaded their partisans among the soldiers to mutiny. The royalist flag was pulled down and trampled on, and the soldiers, after imprisoning their own officers, marched out of the barracks carrying a republican flag and taking with them four field-guns. They took a commanding position and proceeded to intrench themselves, taking possession of showmen's booths and refreshment stalls and converting them into barricades. The showmen assisted them, probably under compulsion. By a prearranged plan, telegraphic and railway communication between the capital and the outer world was cut off. Hearing of the revolt of the artillery, the infantry regiment immediately followed its example, shooting down its officers who sought to rally the men to their allegiance. Meanwhile the loyal troops were called out and held the revolutionists at bay. The dissatisfied sailors in the marine barracks, hearing of the revolt, hoisted the republican flag and sent out detachments to attack the troops who were guarding the approaches. Simultaneously three war-ships in the harbor hoisted the republican flag.

THE REVOLUTIONISTS IN CONTROL

The revolutionary forces had now increased so rapidly that the loyalist troops found themselves in a minority, and when a provisional government was announced, the insurrectionists had not only cowed the royalist troops but had instituted enough order in the capital to permit the provisional President, accompanied by President Marshal da Fonseca, of Brazil, to drive through the streets. President Fonseca's feelings

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must have been somewhat mixed, as two days before he had been entertained by King Manuel himself. The provisional President of the new Government, Senhor Teofilo Braga, was everywhere acclaimed. It is announced that the candidate for President at the forthcoming elections will be Senhor Machado, who has long been regarded as the leader of the Portuguese republicans. President Braga, however, has surrounded himself with an excellent temporary cabinet, especially in the Ministers of Justice and of the Interior. Senhor Costa, the Minister of Justice, thus defines the programme of the Portuguese republicans: to give education to all classes of the population, to place the national defense on a sure footing, to assure individual liberty, to extinguish abuses in the system of criminal procedure, to institute an obligatory registration by the civil authorities of births, marriages, and deaths, to expel monks and nuns, to close their schools, and to separate Church and State. So far as the frontier is concerned, the customs officials continue at their posts collecting the usual duties without knowing for which régime they are acting; for the most part these officials are maintaining a discreetly neutral attitude. The despatches received from various towns in the outlying provinces indicate that the Lisbon leaders have been doing their utmost to secure the support of the people in all sections of the former kingdom, for one of their first acts, at the very beginning of the outbreak, was to send out trustworthy emissaries by automobile to various distant points where they hoped to produce a sympathetic uprising. At the end of last week the republicans appeared to be masters of a section within a radius of about fifty miles from Lisbon. The railways in this district are at a standstill, and in the immediate neighborhood of the capital most of the highways are barred. The consensus of opinion even in Lisbon, however, appears to be that the final success of the revolutionary movement is still in doubt.

THE CAUSES OF REVOLUTION

It is possible that the dynasty of Braganza is at the end of its fortunes, so far as Portugal is concerned. It is one of the oldest in Europe, dating from the fourteenth century, when Affonso, illegitimate son of King João I, was created Duke of Braganza. When, in 1580, the old line of Portuguese kings became extinct, Philip II of Spain, in virtue of his descent from a Portuguese princess, became King of Portugal; but in 1640 Dom João, the then Duke of Braganza, dispossessed the Spaniards and was proclaimed King. If the later Braganzas had shown an intelligent comprehension of the spirit of the times, the dynasty might still have remained intrenched; but the reigning house has been something like the people of Portugal—more detached than any other in Europe from modern tendencies. The Portuguese have not even paid attention to ordinary education, and nearly four-fifths of them do not know how to read or write. The news of last week's revolution will be slow in coming to many of them. They are mostly agriculturists. For generations Portugal has been misgoverned and plundered by two political rings alternating in office, the comically misnamed Progressistas and Regeneradores, who have plunged the country deeply into debt and stolen public money wholesale. Even this, however, the ignorant populace might have borne had it not been for the better advertised lavish and sometimes unworthy expenditures by members of the royal house, culminating, it is said, in those of the young King himself. This was cleverly taken advantage of by certain conservatives and adherents of the Pretender to the throne, who, angered at the young King's recent attempts at liberalism, made secret and common cause with the revolutionaries. They, however, disarmed the criticism that they too are "grafters" by putting to the fore Portugal's stanchest and most dignified republican figure. Teofilo Braga is about sixty-five years old, and has devoted his life to study. He has written a great deal of poetry, but his chief work is a history of Portuguese literature. We hope that he will prove himself a man of action rather than a theorist and academic doctrinaire. He has issued a proclamation to the Ministers of the foreign Powers at Lisbon declaring that in the establishment of a republic the provisional gov-

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ernment is a guarantee of public safety and order, and has issued a manifesto to the people that the republic is for all of them, and that therefore it expects the officers of the army and navy who have not taken part in the revolutionary movement to present themselves at headquarters to guarantee loyalty to the new administration. This is indeed the critical condition before the new Government. It could not have come into being without the dissatisfaction of the army and navy, and there remain army and navy forces still loyal to the King. There is thus really as yet no assurance that a strong republic will take the place of a weak monarchy.

RUSSIAN PRISONS

Actual State Councilor Khrouleff, Chief of the Russian Prison Department, who heads the Russian delegation to the International Prison Congress in Washington, has published in New York, in the shape of an interview, a statement concerning the condition of Russian prisons which seems wholly inconsistent with the representations previously made by such students of Russian penal methods as Count Tolstoy (in "Resurrection"), Prince Kropotkin, Kellogg Durland, and George Kennan. According to Mr. Khrouleff, Russian prisoners are "never denied the accommodations"—particularly space and air—"to which they are entitled;" they are allowed to have interviews with their relatives and friends at short intervals; they are "all employed in agricultural work, either on Government farms or on private estates;" and, owing to their life "in the open," their state of health is so satisfactory that their death rate falls much below that of Russians who are living a life of freedom. As for their intellectual needs, "all illiterate prisoners are taught to read and write; special courses of instruction and lectures are held in all prisons, and almost every institution has a good library." In short, "Russian convicts are treated with more leniency than convicts of any other nation." These statements, if true, will do much to reassure the friends of Russian freedom in the United States who have been led to doubt whether political offenders—such women, for example, as Madame Breshkovsky, and such men as Mr. Guseff, Count Tolstoy's private secretary—do really get the treatment and the prison accommodations "to which they are entitled." Unfortunately, however, the cheerful picture of Russian prison conditions which Mr. Khrouleff draws for the American public is quite as inconsistent with his own departmental records as it is with the statements of Count Tolstoy, Prince Kropotkin, Kellogg Durland, and George Kennan. The latest report of the Russian Prison Department, which was published in the "Prison Messenger" for February, 1910, and the reports of the Russian prison surgeons Dr. Gourief and Dr. Eicholtz, which appeared in the same official periodical in January and June of the same year, show that there are more than 200,000 prisoners in Russian prisons, with "accommodations" for only 120,000; that "only an insignificant minority of them have employment in the open air," and that "agricultural work is a rare exception." In the year covered by the report 172,798 cases of sickness were treated in prison hospitals, including 2,417 cases of scurvy, 6,156 cases of consumption, and 16,000 cases of typhus, or "jail fever." The total number of cases of infectious or contagious disease was 63,453. "Lack of ventilation, *retirades* of primitive construction, and wooden cesspools" are said to be "general features" of Russian prisons, and "in a majority of them the *parashas* (wooden excrement buckets) poison the air to a greater or less extent." In Siberia, to which part of the Empire large numbers of political offenders are sent, "the prison buildings, with insignificant exceptions, are badly constructed and are falling into ruins." "The *étapes*, with rare exceptions, are old, small, and badly equipped." There is good bread only "in a few of the best prisons," and "the nourishment given is far from sufficient." "Now, as heretofore," the report says, "the majority of our prisons come far short of satisfying all demands in their penitentiary, sanitary, and technical relations." The citations above made, it must be noted, are all from the "Prison Messenger," the official organ of the Russian Prison Department, and a large part of them are

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from that department's latest report. Mr. Khrouleff comes to the United States as the head of the Russian delegation to the International Prison Congress, and it is only natural that he should try to present Russian penal methods in as favorable a light as possible. He would have done better, however, if he had made his interview agree with his own reports and the reports of his own officials; and still better if he had told us the truth about Russian prisons, and had explained to us that it is impossible to make great improvement in conditions so long as the Central Government doubles up the number of prisoners and refuses to appropriate money enough to house them, feed them, and care for them properly.

WHY NOT A POSTAL PROFESSION?

Recently, before the League of Republican Clubs in New York City, President Taft made a comprehensive review of the Administration's accomplishments and policies. He received especially marked attention when he announced the institution of a very real reform effected that day by executive order. This reform is part of the President's pledge to extend and develop the merit system in the Federal service. This system makes competitive examinations, and not party services, the test of the fitness of an applicant for office. Many employees in our postal service have already been brought within the rules of the merit system. In addition, by last week's executive order, the assistant postmasters of the first and second classes, and the clerks in their post-offices, are to be brought within that system. For years the Civil Service Reform League has urged this. It means that in every office covered by the order a permanent civil service officer will carry on the policy of that office regardless of changes in its political head. Those who have wanted the post-office conducted as a private business is conducted will now not have so much ground for complaint. But the grounds of complaint should be still further restricted. The postmasters of the first, second, and third classes, and those of the fourth class still outside the merit system, should be brought into that system. As the fourth-class postmasters and assistant postmasters now in the merit system are not subject to confirmation by the Senate, the President, under the Civil Service Law, could put them in the merit system, but the change of first, second, and third class postmasters requires legislation. Another reform is to change the tradition that a postmaster should be appointed only from his locality. Local feeling has often opposed any change of policy in this respect; ultimately, however, the postal service should be managed just as the Pennsylvania Railroad system is managed. A young man enters that system as a telegrapher, but may rise and be transferred step by step until he retires as president. In like manner a young man may obtain a position as postal clerk in a country town. Why should he not be transferred, if he have the requisite ability, to a more important postal office elsewhere, and rise through the grades of postmastership until he becomes director of posts at Washington? Why not have a postal profession? On a previous occasion the President had declared that he would recommend to Congress the competitive classification of the second and third class postmasters, but in his New York speech he went further and said that the first, second, and third class postmasters, collectors of internal revenue, collectors of customs, surveyors of customs, and appraisers should be brought within the merit system. Advancing still further, he proclaimed his admirable civil service policy to be "the elimination of *all* local offices from the field of politics."

TAMMANY'S OPPORTUNITY

Charles F. Murphy, the head of Tammany Hall, has again shown himself to be an able boss. His course in the Convention at Rochester, New York, which nominated the New York State Democratic ticket, exhibited his ability in promoting the interests of the corrupt political organization of which he is the chief. What The Outlook said regarding the minor nominees on the Republican ticket applies with double force to those on the Democratic ticket. In describing last week the Republican Convention The Outlook said that its closing scenes "must have convinced most participants of the desirability of the 'Short Ballot,' under which the

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Governor would appoint the other State officers as the President appoints his Cabinet;" and stated that the delegates took little interest in the choice of candidates after the question of the Governorship and Lieutenant-Governorship had been settled. This was even more true of the Democratic delegates. The absorbing contest for the Governorship nomination, which resulted in the selection of Mr. John A. Dix, so completely concentrated on the chief office the attention of not only the delegates but also the public that the question as to who should be selected for the other offices was altogether obscured. Here is where Mr. Murphy, the Tammany boss, made his opportunity. Such State officers as the Comptroller, the Treasurer, and the State Engineer, have very important functions, and determine very largely the way in which public money shall be spent and the appointment of public servants. To such an organization as Tammany Hall the patronage involved in such offices and the business which they carry on are of enormous value. With this business and with this patronage the Governor has very little, if anything, to do. Tammany Hall could therefore afford to yield on the question as to who should be the candidate for Governor, provided it could manage to arrange for the selection of other members of the ticket. That is exactly what Boss Murphy has done. Testimony regarding this need not be sought from those who are unfriendly to the Democratic ticket; it is frankly and voluminously provided by newspapers that are beseeching the voters to support the Democratic nominees. On another page, in an editorial by Mr. Roosevelt, are quotations from the New York "Times" which testify to Mr. Murphy's control of this Convention. The New York "Sun" describes the "slate" as being made up in Room 212, "where Murphy and the party bosslets were conferring." The "Evening Post" announces:

> Tammany men acknowledge—being just now joyously frank over the result—that the hard necessity of the occasion, which demanded that Murphy should not appear to be desirous of naming a man of his choice for the head of the ticket, was tempered by the fact that he could the more easily take his pick of the other offices. It was even said openly that it was a good thing for Tammany that the discussion over the head of the ticket was so absorbing as to keep people from scrutinizing too closely the names and records of those who were put on the ticket with him.

The result of Mr. Murphy's management was the naming of the following men: For Secretary of State the Democratic candidate is Edward Lazansky, who has faithfully served the organization that is a twin brother of Tammany Hall, the McCarren machine of Brooklyn; for Comptroller, William Sohmer, who is sufficiently described as being the treasurer of Tammany Hall itself; for State Engineer, John A. Bensel, a New York City politician and engineer, at present President of the Board of Water Supply, who was formerly a candidate for the Tammany nomination for Mayor, and who could not be depended upon to resist Tammany influence in the important office for which he has been named; for Treasurer, John J. Kennedy, a ward politician formerly connected with "Fingy" Conners's machine in Erie County, but now associated with the man who succeeded Conners in control; for Attorney-General, Thomas F. Carmody, who was the willing instrument of Conners and Murphy in the last State Convention. Those Democrats who are taking great satisfaction in the fact that Mr. Dix, the nominee for Governor, has a good reputation as a business man and as a leader in the movement for the rejuvenation of the party, should not forget that the hand of the boss is still firmly grasping that part of the party machinery which is of most value to the boss and the machine. If New York State had a Short Ballot, by which the people would concentrate all their attention upon getting a good Governor, who would then appoint such officers as the Secretary of State, the Comptroller, and the State Engineer, the power of the boss to do what Mr. Murphy did at Rochester would be broken; for then the boss would have to come out into the open and fight, in sight of all the people, to have his candidate for Governor named. Now the people can choose their Governor and yet find the boss maintaining his power through the control of valuable public offices; but if these offices were filled by appointment of the Governor, the people, by choosing

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their Governor, would be sure that these places would be filled in their interest by their own elected representative, and not by a boss.

IS THIS A SIGNIFICANT STRAW?

Straws do not always show which way the wind blows. They sometimes only show eddies and cross-currents. The Independence League platform adopted last week in New York City is only a straw. The vote which this party will cast in New York State in the approaching election, it is safe to assume, will be relatively small. Is it a significant straw? Does it indicate a permanent trend in American political opinion, or only a temporary eddy? It demands direct nominations, State-wide in application to every elective office; the Massachusetts form of ballot; the initiative, referendum, and recall; the popular election of United States Senators; the income tax and a progressive inheritance tax, to be shared between the States and the National Government; a Constitutional amendment permitting the municipal ownership and operation of all municipal utilities; and, in addition, some State and local reforms to which no one will probably offer a public opposition, such as the effective prosecution and punishment of graft, the stamping out of tuberculosis, the abolition of grade crossings, the extension of facilities for agricultural education. Some of the principles in this platform The Outlook has long advocated; concerning others it is more doubtful. We have heretofore stated the reasons why, in the interest of just and equal taxation and of good morals, we are opposed to an income tax. A limited use of the referendum we believe desirable; the initiative and the recall are more doubtful. It does not follow that because "the power to make officials resides in the people, in them should reside the power to unmake and remove from office." The way to secure trustworthy officials is not to make it easy to remove unpopular ones, but to make it easy to nominate and elect good ones. Good service will be better secured by greater permanence, not by greater uncertainty of tenure, and by greater, not less, responsibility in the appointing power. In short, in so far as this platform indicates a tendency to substitute pure democracy for a representative government, the experience of the past does not justify it. America needs not to abolish representative government, but to make it more truly representative of the people.

A GOVERNOR AND THE STATUTE OF LIMITATIONS

The Federal Government has dismissed its indictments against Mr. C. N. Haskell, Governor of the State of Oklahoma, and his associates, charged with conspiring to defraud the Federal Government in acquiring title to town lots belonging to the Creek Nation at Muskogee, Oklahoma, in 1902. Governor Haskell's co-defendants were C. W. Turner, Walter R. Eaton, W. T. Hutchings, A. Z. English, and F. B. Severs, all residents of Muskogee. Several weeks ago Severs and English compromised with the Government by relinquishing a number of their lots and by paying a large sum of money for the lots they retained. In the trial of the case, recently begun in the United States District Court at McAlester, Oklahoma, before Judge John A. Marshall, of Salt Lake City, Utah, Judge Marshall ruled that it would be necessary for the prosecution to show that the defendants had consciously participated in the alleged conspiracy within the statutory time prior to the return of the indictments. The latter were returned May 27, 1909. This permitted the three years' statute of limitations to intervene in behalf of the defendants, under a decision by the United States Circuit Court of Appeals at St. Louis, Missouri, last June. Judge Marshall previously had ruled in this case that the indictments were not affected by the statute of limitations, but the St. Louis decision compelled him to change his ruling. The attorneys for the Government, led by Sylvester Rush, Special Assistant to the United States Attorney-General, had devoted months to the gathering of evidence, and publicly expressed their full confidence in being able to obtain convictions. Mr. Rush had conducted numerous prosecutions in land fraud cases for the Government. Governor Haskell's attorneys, at the last moment, had sought further delay by pleading that his official

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duties were so urgent as to require his full time for the next two or three months. This plea was not accepted by the Court. The indictments against Governor Haskell and his associates charged that by conspiracy they obtained title to about six hundred town lots at Muskogee at one-half their appraised value, despite the fact that lawfully one person could obtain title to not more than two lots at this valuation, and that this privilege should be enjoyed only by persons in actual possession of the two lots as occupants. The Government declared that to promote their undertaking the defendants organized and operated the Southwestern Trading and Constructing Company, of which Governor Haskell was president, Charles Duffy, of New York, vice-president, W. T. Hutchings, of Muskogee, attorney, and Walter R. Eaton, of Muskogee, secretary. Duffy became a witness for the Government. The Government alleged that it was prepared to show that the defendants, to facilitate their getting lots, falsely used the names of numerous persons in other States, to whom as "dummies" the lots were scheduled and patented, and from whom quitclaim deeds afterwards were obtained by the defendants. Many of these "dummies" said that they did not know they were lot-owners until they were requested to execute quitclaim deeds. Governor Haskell declared that his prosecution was without just foundation, and that he was being made the victim of a political conspiracy in the Republican party. Governor Haskell is a Democrat, and was treasurer of the Democratic National Committee at the beginning of the last National campaign. He resigned after the accusation was brought against him that he had been improperly associated with the Standard Oil Company when he was a resident of Ohio.

SPORT OR SLAUGHTER?

The mortality which attended the automobile race for the Vanderbilt Cup on Long Island has evoked a vigorous protest from the country against a sport attended with so many fatalities; and the action of the Motor Cups Holding Company, declaring off the international automobile race for the Grand Prize, which was set down for the 15th of this month over the Motor Parkway and adjoining roads of Long Island, is not only humane, but eminently wise in view of the state of public feeling. This decision was reached, according to the statement of the directors of the company, with the consent of those who had entered cars for the race, because there does not seem to be any method of policing the course without the help of militia, and the failure to police the course properly is, next to the danger of racing at such high speed, the prolific cause of fatalities. Four killed and twenty more or less seriously injured is an exorbitant price to pay for any kind of sport. Life has always been and probably always will be sacrificed in the experimental stages of new applications of science to human needs; but the risks of the motor race cannot be counted among the inevitable risks of progress. In a number of cases, no doubt, the carelessness of spectators was responsible for their injuries; but the tremendous concentration of interest in such a race and the rapidity with which the cars pass given points make it almost impossible to keep the track clear unless the spectators are kept out by lines of police or troops, or by material barriers. As it is, the spectacle on Long Island was a shocking one when it is reviewed apart from the excitement of the moment. No spectacle ought to be so exciting as to make spectators indifferent to the loss of life. When the motor race reaches this point, it is to be classed with the bull-fights which have done so much to brutalize Spain; it ceases to be a sport in any true sense of the word and becomes a hideous stimulation of crude sensation. From the beginning there has been a large element of advertising in these races, and sport has been adulterated by commercialism. They must either be so regulated as to stop the destruction of human life, or they must be ended.

THE CONSECRATION OF ST. PATRICK'S CATHEDRAL

Last week in New York City the consecration of St. Patrick's Cathedral drew together a notable assemblage of Roman Catholic dignitaries. With the exception of the cathedrals at Mexico City and at Puebla, St.

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Patrick's is the largest in the Western world. More than half a century ago its corner-stone was laid by Archbishop Hughes, and its building was carried forward by his successors, Cardinal McCloskey and Archbishop Corrigan. The honor of freeing the cathedral from debt belongs to Archbishop Farley, and last week he performed the quaint and impressive service of consecration. It began before dawn, when the Archbishop, accompanied by priests and acolytes, marched thrice about the church in the performance of the ancient rites which had their origin in the Jewish rites instituted by Solomon. Sprinkling the walls of the cathedral with holy water, the Archbishop knocked before the closed door with the base of his crozier, saying, "Lift up your gates, O ye Princes, and be lifted up, O Eternal Gates, and the King of Glory shall enter in." From within the church, where the deacon at the door was stationed alone, came the response: "Who is this King of Glory?" The Archbishop replied: "The Lord, who is strong and mighty; the Lord, mighty in battle." After another march around the church the ceremony was repeated, and after a third march, when the door was reached the Archbishop replied to the deacon with the words, "The Lord of Hosts, He is the King of Glory." At the response the great doors swung open and the procession passed in. Then there took place the ceremony of tracing the Greek and Latin alphabets in ashes spread on the floor, and of tracing crosses on the inside of the doors in symbol of the guard set against malign influences from without that might thwart the work of redemption within. Then the procession marched to the Cathedral College to escort to the church certain sacred relics, being the bones of St. Beata and St. Felicitas, who suffered martyrdom in Rome in the early part of the third century. There followed the ceremony of consecrating the altar. Finally came the longer procession of various Roman Catholic orders, students of the Cathedral College, and members of religious orders, together with forty-one bishops, twelve archbishops, and three cardinals—Gibbons of America, Logue of Ireland, and Vannutelli, the Papal Legate, the last named a prelate of towering stature. The picture presented by the brilliant uniforms of the Catholic officials, the somberly cowled monks, the acolytes in red cassocks and white lace surplices, the Christian Brothers in their black soutanes, and the scarlet-clad dignitaries of the Church, harmonized with the decoration of the cathedral's interior with bright autumn leaves and laurel. The most noticeable decoration, however, hung above the altar, the red hat of Cardinal McCloskey, the first American cardinal. His name was on every one's lips, for the celebration of the consecration of St. Patrick's marked also the celebration of the centenary of his birth. Cardinal Gibbons was the celebrant of the Pontifical Mass, and Archbishop Glennon, of St. Louis, was the preacher. The consecration is of interest not only to Roman Catholics, but also to Protestants, for the cathedral's history forms a chapter in the growth of the metropolis and the growth of the Church in America; and the long delay in the consecration should suggest to those Protestant communions, other than the Episcopal, whose churches are consecrated long before they are paid for that they may learn something from their Roman Catholic brethren. To postpone consecration until debts are paid is a practical declaration that there can be no joint ownership of a church; it must belong wholly to God if it is to be his house.

WINSLOW HOMER

In the death of Winslow Homer America loses one of her most original, powerful, and gifted painters. It is always dangerous to employ superlatives, and yet we venture to say that the working artists of the country, if they could have taken a vote just before his death, would have united upon him as being the greatest living American painter. He was born in Boston seventy-four years ago, and as a boy showed marked ability in drawing. His first work in drawing and design was done in a lithographer's office. When he was still a very young man, he came to New York, and after overcoming many difficulties achieved such success as an illustrator that he was sent by Messrs. Harper & Brothers to the front during the Civil War to make illustrations for "Harper's

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Weekly." His work attracted instant attention on account of its genuine human quality—perhaps quite as much for this quality as for its technical worth. His career as a painter began at the close of the Civil War, and no American artist has produced a greater variety of canvases. He achieved a striking and personal success in landscape, in marine pictures, in figure composition, and in water-colors. His work was never done within narrow limits either of methods or of ideas, although two dominant qualities show themselves through it all—the love of Nature in her out-of-doors aspect and a love of Nature as she shows herself especially in the artist's native land. Mr. Homer made more than one brief visit to Europe, but no American artist has been less influenced than he by European painting. It is very much to be hoped that some memorial exhibition of his work will be shown in New York and other art centers of the country; such an exhibition, if it were really representative, would reveal a variety of subjects, a catholicity of taste, and an extraordinary range of technical power which would perhaps astonish even those who are well informed in the history of American art. He painted army teamsters, Adirondack trout, the luxuriant flowers of the West Indies, and the rugged rocks and rugged fishermen of the Maine coast with equal success. Those who are familiar only with the dramatic and sometimes almost brutal power of his later canvases may be surprised to know that he could and did paint landscapes quite as full of idyllic and shimmering charm as the landscapes of Daubigny, Harpignies, or Cazin. Some of his water-colors painted thirty years ago—a group of children in a berry pasture, two or three boys playing with toy boats, a farmer's wife feeding chickens—are almost photographic in their realism, and yet depict the invisible breeze and the intangible sunlight with the skill of the most accomplished French impressionist. Mr. Homer did little or no portraiture, but his famous picture called "All's Well," a picture showing the head and shoulders of a lookout on the deck of his ship at sea under the stars, indicates what he might have done with the human face if portrait-painting had interested him. He was a man of great independence of thought and action, and preferred to live and work with the least possible social interruption, but he was a man of singularly interesting personality to those who had the good fortune to break through his natural reserve and come into somewhat intimate relation with him. His sincerity, honesty, and fearlessness of all social conventions showed itself in his art, which in a somewhat commercial age was not in the minutest degree tainted with commercialism. His life and work afford another proof that our democracy, which is often accused of being essentially commercial, is capable of producing high forms of art.

THE BLUE BIRD

The New Theater in New York City is fortunate in being able to open its season with a play far removed from the triviality and vulgarity so prevalent. Maeterlinck's "Blue Bird" is a strange but pleasing combination of a fairy tale with an allegory. So much has been said about the subtlety of Maeterlinck's symbolism that it is worth while to point out that the audiences find this charming fantasy not only human and beautiful but simple in its purport. On the other hand, while the conception is poetical, the writing of the play does not abound in passages which, taken in themselves, are poetically expressed—so far, at least, as one may judge from the translation. The beauty of thought and feeling lies in the idea rather than in the words. The story, unfolded through many stage scenes which delight the eye, tells of the adventures of Tityl and Mityl, two peasant children, who are sent by the fairy Berlune in search of a wonderful blue bird, the symbol of the source of happiness. By means of a magic cap with a diamond to be turned at the right time, they may see the souls of all things in bodily form, so that with them go the embodied souls of Fire, Water, Bread, Milk, Sugar, the Dog and the Cat—the common things of life—all fantastically presented. Water's flowing dance, Fire's impetuous rush, the Dog's honest faithfulness, the Cat's snarling selfishness, are skillfully rendered. The children find that their grandparents are recalled to existence whenever they are remembered

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with love; the dead in the graveyard appear to them at midnight, but in the form of lovely flowers growing from the graves; the Kingdom of Night has lost most of its old-time terrors, like ghosts and diseases, but still has left the horror of war; at the palace where await the souls of the children yet to be born, each little spirit has its mission or its failure in life already prepared to take with it. As the play-bill's analysis says: "Man is quite alone in his great quest. Nature, Animals, Elements, all combine to hide away from Man the answer to the enigma. Only Light, who may be called Wisdom or Science or even Love, is ranged on his side—Light and the Dog, who has made an alliance with Man through Affection." When at last the true blue bird is found, it is the morning after these fairy adventures, in the old cage in the children's home, and it is quickly given to a neighbor's sick child, only to escape and fly away. These happenings are evidently capable of carrying allegorical teaching; they are also so presented with constantly changing incident and novel setting that the attention of the auditor is continuously held and his eye delighted. The play is not dramatic in action; its hold is primarily that of the wonder tale, and, beyond that, of the recognition of that which is sweet and true in life and feeling. The staging and acting of the "Blue Bird" offer unusual difficulties, which have been for the most part admirably dealt with by the New Theater's management.

THE INAUGURATION AT SMITH COLLEGE

Smith College was founded in 1871, and until Wednesday of last week had had only one President, L. Clark Seelye, who has given the college an individuality and quality which it is to be hoped will survive many changes of administration. Dr. Seelye has been so closely identified with the college that the graduates of its first forty years will never be able to think of the college apart from him. But they and all others interested in college education will welcome the Rev. Marion Le Roy Burton, in whose hands the keys and the charter of Smith were placed on Wednesday afternoon of last week, in the faith that he is the right man for the place. The exercises were held in the new library building. Governor Draper spoke on behalf of the Commonwealth of Massachusetts, Harvard was represented by President Lowell, the Faculty of Smith College by Dean Tyler, the alumnæ by Mrs. Dey, of Syracuse, the undergraduates by Miss Evans, of Augusta, Georgia. In his address President Burton declared that the aim of Smith College was stated on its seal, "To Virtue, Knowledge"—an equal emphasis on character and scholarship. After pointing out the common elements in the education of men and women, he declared that there was a clear demarcation of the distinctive field of women's colleges:

> The significant fact to which we come is simply this: Appearing in childhood, developing in adolescence, and coming to full fruition in adult life, we must recognize fundamental and eternal differences between men and women. The recognition of these differences, however, does not carry the inference that man is superior and that woman is inferior, nor vice versa. Differences are not defects. It is no more a discredit to a woman that she is different from a man than it is a dishonor to a man that he is different from a woman. We simply stand in the presence of one of Nature's unalterable decrees. Rather let it be proclaimed that woman's distinctiveness is her glory, that woman's uniqueness is her birthright.

It is encouraging to find Dr. Burton frankly emphasizing the necessity of increasing the differences between men and women rather than decreasing them, so many and so vociferous are the advocates of an endeavor to minimize distinctions in brain and temperament in which lie in large measure the variety, the interest, and the joy of life. Honorary degrees were confined to women. Dr. Rena Sabin, of Johns Hopkins, and Mrs. Ellen H. Richards, of the Institute of Technology, were made Doctors of Science; Miss Harriet Boyd Hawes, archæologist, of Washington, Miss Caroline A. Yale, Principal of the Blaikie School for the Deaf at Northampton, Miss Woolley, President of Mount Holyoke, Miss Julia H. Gulliver, President of Rockford College, and Miss Mary Whiton Calkins, head of the Department of Psychology and Philosophy at Wellesley, were made Doctors of Humanities. The degree of Doctor of Laws was conferred upon Miss Jane Addams, of Hull House, and on Mrs. Julia Ward Howe. The conferring of the degree on Mrs. Howe

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was the dramatic moment of this academic festivity. Now in her ninety-second year and very feeble, this able woman, who has so long held a foremost position among the women writers and speakers of the country, was received by the entire audience standing, and the conferring of the degree evoked a tremendous burst of applause, at the end of which the audience of three thousand people sang "The Battle Hymn of the Republic." At the luncheon Miss Woolley, President Nichols, of Dartmouth, Professor Northrop, of the University of Minnesota, President Cowling, of Carleton College, and Professor Friedländer, of the University of Berlin, made interesting addresses. The retirement of Dr. Seelye closes a notable chapter in the history of Smith College. He carries with him the deep-seated affection of an army of women to whom, in a time of much disturbance of spiritual, moral, and social values, he has presented steadily and uncompromisingly the higher ideals of life.

THE NATIONAL UNIVERSITY OF MEXICO

Among the celebrations and ceremonies incident to the centennial anniversary of Mexican independence perhaps the most impressive was the founding of the new National University. President Diaz formally announced this event in the presence of his Cabinet, special envoys from various Governments, and representatives from eighteen foreign universities. Strictly speaking, the new University is not the first university organization in the history of Mexico. As early as 1551 Charles V founded a University of Mexico, and two years later the first course was offered in the new institution. Instruction was given in theology, rhetoric, civil and canon law, the Latin, Mexican, and Otomi (ancient Mexican) languages. But, as in all ecclesiastical institutions of that period, instruction was of a decidedly elementary character. After a short period of prosperity the institution suffered an eclipse from which it never emerged, and it was thus comparatively easy for the Government to decree its dissolution during the conflict between Church and State. While, therefore, the new University may be said to have historical antecedents, it is totally different both in organization and purpose from its predecessor, for it represents the first attempt in Mexico to organize a co-ordinated system of higher education. Fortunately, in planning the new institution, the Government found most of the necessary element ready to hand. The law, medical, and engineering schools and a school of fine arts had been enjoying separate but vigorous existences. To these there has been added an Escuela de Altos Esudios (School of Advanced Studies), which closely approaches the graduate departments of our American universities, and, like them, is intended mainly for special courses for advanced students and for research work. The new institution will thus co-ordinate higher education, supply more uniform standards, and raise the level of professional training. But if the University has national, it has also an international, significance. It will strengthen our international intellectual ties with Mexico; the first step in this direction is the appointment of Dr. L. S. Rowe, of the University of Pennsylvania, to be Honorary Professor of Political Science. In pursuance of this Dr. Rowe will shortly deliver in Spanish at the University of Mexico a course of lectures on "The Political and Social Institutions of the United States." The new University will also strengthen our relations with Mexico by its inauguration of a period of scientific co-operation, as is seen by the founding of a school of archæology with the co-operation of several American universities. The Toltec ruins of Teotihuacan, the remains of the Zapotecas in Mitla and the Mayas of Yucatan, afford a marvelous field for research. The example set by the archæologists is certain to be followed in other fields of investigation, notably geology and botany, and even in the fields of history and jurisprudence. Of course every American investigator who enters Mexico contributes, on his return, towards destroying certain misconceptions which exist in this country with regard to the other. Similarly, the influence of every Mexican who, under this system of university co-operation, will come to this country, will doubtless counteract some erroneous views held in Mexico with reference to the attitude and intentions of the American people and Government towards Mexico.

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A FIGHT FOR CLEAN GOVERNMENT AND POPULAR RULE

The campaign in the State of New York this fall is in no sense an ordinary partisan campaign.

Mr. Stimson and the principles for which he stands deserve the heartiest support of all good citizens who believe in public decency and who are capable of looking ahead and thinking of the welfare of the country of to-morrow no less than of the welfare of the country of to-day. Mr. Stimson was nominated in a State Convention which more accurately and truthfully represented the popular will than any other State Convention of either party held in New York State for the past generation. He was nominated by the progressive and independent Republicans, who fearlessly avowed their belief that the best service they could render their party was to make that party in the highest sense the servant of the whole people. Every progressive Democrat, every upright Independent, should support Mr. Stimson with the heartiest zeal, not only because of that for which he stands, but also because of what the combination against him really is and really represents.

This combination, masquerading in New York State under the name of Democracy, in reality represents no historic party of the United States at all, but is as frankly base an alliance between corrupt politics and corrupt business as this country has ever seen. Mr. Stimson is not opposed by anything that can legitimately claim to represent a National party with avowed principles and defined policies. He is opposed by a combination between political Wall Street and Tammany Hall. Tammany Hall can be called Democratic in the sense that it usually dominates the Democratic politics of New York City, and often dominates the Democratic politics of New York State. Political Wall Street is frankly and cynically independent; only, its independence represents exactly the reverse of the attitude of the honest Independents. There is a Wall Street Democracy; but its feeling for Democracy is tepid, and its sensitiveness to the pocket nerve very great. The Wall Street supporters of Tammany Hall in this campaign include men who are nominally Republicans as well as nominally Independents and nominally Democrats; but their professed party allegiance sits on them lightly, and they find no hesitation in backing an organization whose very name has become a byword for political corruption, because they feel that they can trust this organization not to interfere with crooked business as Henry L. Stimson, the Republican nominee for Governor, has shown by his handling of the Sugar Trust that he would interfere with it. Nominally, the principles of the two parties to the alliance—political Wall Street and Tammany Hall—are far apart; but in reality their practices are the same; for each of the two partners believes that self-interest, exercised without regard to any conscientious scruple, should be the only guiding principle of political and personal conduct.

I need hardly say that when I speak of "Wall Street," I do not mean the honest business men who are in or near that street, but those big business men and big speculators who arrogate to themselves the title, and who have succeeded in impressing upon the public mind a definite and truthful image of just what they do really represent. The attitude of political Wall Street is frankly taken, and is avowed almost without disguise. It is substantially set forth in the columns of those journals whose editors are under the direct control, or the almost equally powerful indirect influence, of the particular financiers whose activity is of such sinister portent in American social and industrial life. These newspapers have often declaimed against the bossism and political corruption of the parties, and they have been particularly severe against the Republican machine that was overthrown in the Saratoga Convention, and against the Democratic machine that triumphed without opposition at the Rochester Convention. But their opposition to corrupt politics is mere sound and fury, compared to their deep and abiding hatred of all men who seek to do away with corruption in big business, who venture to oppose big business men when they are corrupt, and who stand for the principle of eliminating special privilege from our economic no less than from our

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political life and of trying to secure a greater and more general equality of opportunity among men. They are tepidly against small political corruption; but the full bitterness of their hostility is reserved for the men who, although they war against corrupt politicians and lawless labor leaders, war no less earnestly against the crooked rich. Their opposition is a tribute of high honor to Mr. Stimson. They know he is absolutely incorruptible. He is not merely above corrupt influence in its grosser forms; he is a man whom it is impossible to sway by any exercise of those subtle influences which so often do bend well-meaning men of weak character aside from the path of duty.

The Republicans can afford to let their foes themselves describe themselves. One of the prominent exponents of the Wall Street attitude on public affairs is the New York "Times," and its description of the forces which nominated the ticket which it is now supporting is as follows:

"All day and to-night the Democratic leaders have been going, hat in hand, to Mr. Murphy, and asking him humbly to favor this or that candidate."

"Never before has Tammany Hall been in such unquestioned control of a State Convention. Never before has any Tammany boss been enthroned as a State leader in the unlimited way in which Murphy is recognized to-day. The Convention is in the hollow of his hand."

"Back of Murphy's control are rumors of strange and sinister influences. You cannot throw a brick in any direction in Rochester without hitting some lobbyist or railroad attorney."

"The woods have been full of them from the start. They got here before the delegates did."

"What was back of the secret candidacy of another leading candidate never sprung until the Gaynor movement was out of the way, but carefully planned weeks in advance? There are forty answers, and none of them favorable to the theory that the Democratic Convention is a people's convention."

"The writer of this despatch has attended many conventions, State and National, and he has never seen a more general air of distrust and suspicion than prevails throughout Rochester to-day as to the action of the Convention. The Convention session meant nothing. The real convention was in Mr. Murphy's room."

This candid statement can be accepted as absolutely truthful, since it is made by a Wall Street paper about the Tammany Convention which nominated the Wall Street candidates.

Let no man say that in attacking crooked big business we are also attacking honest big business. Such an accusation is as absurdly untruthful as to claim that we are against honest politicians because we are attacking dishonest corporations. Our attack is on dishonesty in big men and little men alike. We appeal to all honest and independent men. We appeal to all young men who have the honor of the country close at heart and who believe in shaping conditions so that our National life shall be led along the lines of fair play, shall be conducted on a higher level politically, and with a greater chance for reasonable reward following honest effort industrially. We stand for the honest man, great or small, rich or poor, and we believe in trying to improve our system so as to give each honest man a better chance on his own merits to get the reward to which his honesty and exercised capacity entitle him in business.

No more sordid combination of corrupt business and corrupt politics, no combination more utterly sincere in its rejection of every high and inspiring motive, was ever faced than the combination we now face in New York State. Its leaders are seeking to influence honest men who do not understand the facts to support them upon the ground of material self-interest.

The Republicans of New York State ask men to support their side because in the end it will surely redound to the material interest of the American people if the principles for which they stand triumph, but they also ask for support on far loftier grounds. On a platform demanding the highest standard of efficiency and integrity, and declaring absolutely for rule by the people, the Republicans have placed in nomination for Governor a man whose life is a guarantee that, if elected, his performance will match this promise. His far-reaching honesty and broad sympathy make his entire fearlessness and disinterestedness, his high ability, of peculiar value to our people in the present condition of affairs. There never was a sharper contrast than that typified on the one hand by him and his associates, and on the other by his opponents and by the menacing forces which stand behind

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those opponents and absolutely control them. The fight is on for clean, decent, and efficient citizenship, for cleanliness, efficiency, and decency in politics and in business; and we have a right to expect the support of every man, without regard to party, who prizes the good name of America and the qualities that make for integrity and honor in our public life as a Nation. THEODORE ROOSEVELT.

OCTOBER IS FOR MEMORY

Vacations must be taken when they can be had, and midsummer seems to be the time appointed by sluggish business and active heat; but the ideal order of things would set men at play in the golden days of early autumn. It seems, and often is, a hardship to compel a man to pack his bag and go back to town at the very moment when summer waits by the door to bestow the best gifts of her hospitality. The lassitude of August has gone out of the air, and a tonic charged with life runs through its invisible channels. The golden-rod, the yellow flame which lights the edges of the woods, is like a memory purged of all bitterness and mellow with the charm of happy hours; the purple of the aster stars the paths across the fields; the leaves are changing into gold, and the atmosphere is a diffused radiancy in which every common thing hints at a hidden rootage in poetry. The miracle of autumn becomes more wonderful as it repeats itself in individual experience. It has less to say to children than spring, but it has infinitely more to say to their elders. May is for hope, but October is for memory!

The autumnal harmony of field and sky, which brings golden days to birth and proclaims the peace of God from horizon to horizon, is a moment of pause; it is the hush which sometimes comes after clamorous activity, the relaxation that follows fast on the strain of great activities. It is vacation time with Nature, whose energy never sleeps, though it often sinks into repose. There are days at this season when summer seems to be brooding over the fields which she has quickened with life and the forests which she has clothed out of her exhaustless bounty. One can almost imagine her making up the accounts and reckoning the profits or losses. She is the greatest creditor of men, but in her bookkeeping there is an incalculable element which baffles the most experienced accountant. Year upon year she pays every man for his labor, and pays with a royal hand; and then, unheralded, there comes a year when she lowers the scale of wages and many faithful workers go unpaid. The fruitful years follow fast upon one another until the harvest seems perennial; and then, suddenly, the skies no longer drop down fatness and the furrows no longer yield an unforeseen surplus.

The relation between men and Nature is based on work, and a man must pay for what he gets; but it is not a commercial relation. Nature keeps faith with her debtors to the uttermost penny, but she reckons with their souls as well as with their bodies. She will not permit them to count too confidently on her backing; sometimes she puts them on frugal fare and hard living. She is more concerned with what she can put into them than with what they can take out of her; in giving vigor to their wills, power to their arms, and endurance to their souls rather than in making them comfortable with overmuch corn and wine. Unlike some foolish human mothers, she would rather see her children starve than corrupt them with indulgence. She exacts a price for what she gives them, as wise fathers often do from their sons, not because she cares for what they pay, but because she cares for them. To be a mother of men a woman must make men of her boys. Such a mother does not barter with her sons; she demands their best not because it belongs to her but because it is due to them; for that which is due to children is not ease and luxury but the hardening of the muscles, the habit of work, the sense of honor, the self-respect that is born of integrity. The noblest and most devoted mother is she who exacts much from her children and will not be content with less than the best.

This is the reckoning which it is easy to imagine Nature making of gains and losses as she broods over the harvested fields in autumn. It is no petty taking of account, no smug counting of profits, no commercial balancing of the books; it

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is a counting of gains and losses between the spirit of man and the spirit of God working with and for man. Some such reckoning a man must make with Nature when these golden mornings wait at his door to offer him the largess of the season, and these golden afternoons linger by the threshold as he comes in bringing the air of the woods with him and the smell of burning leaves in his garments. October is for memory, and memory is the book of account which a man keeps with himself; the story of his decline and fall or of his rise and triumph. It is no shop-keeping account, no Philistine reckoning of success by what a man has, for it is often true, as has been said, that the less you have the more you are; it is that backward glance at the landscape which tells the traveler whether he is nearing his goal.

A SELF-PAINTED PORTRAIT OF JOHN STUART MILL

An interesting room in the Ufizzi Palace in Florence is the one devoted to self-painted portraits, for in this room one gets the artist's own interpretation of himself. They do not contain the artist's greatest work, but they contain interesting self-revelations. Such a self-painted portrait is furnished by the "Letters of John Stuart Mill."[1] These letters furnish what is really a better portrait than his autobiography, because they are free from self-consciousness, because also they indicate qualities of character which the mere student of John Stuart Mill's writings would hardly suspect he possessed. "Here is a new mystic," said Carlyle, when the series of letters by John Stuart Mill on the "Spirit of the Age" appeared in the "Examiner." "Mystic" is not the word which one would naturally apply to the great interpreter of sensational philosophy, the author chiefly known to the world of letters by his volumes on Logic and on Political Economy. Yet the truth of Carlyle's insight is indicated by many passages in these late published letters.[2]

We judge a man, it is said, by the company he keeps. We judge him also by his appreciation of that company. It is certainly significant, in any estimate of the character of John Stuart Mill, that two among his most intimate correspondents, perhaps the two to whom he most revealed himself, are Thomas Carlyle and John Sterling. His appreciation of these men, the reason apparently why he was especially drawn to them, was not any notably logical character in their writings, not any absence of idealism in either them or their productions, but their combination of strength of will with clearness of vision. Of Carlyle he writes to John Sterling: "He has by far the widest liberality and tolerance (not in the sense which Coleridge justly disavows, but in the good sense) that I have met with in any one; and he differs from most men, who see as much as he does into the defects of the age, by a circumstance greatly to his advantage in my estimation, that he looks for a safe landing *before* and not *behind*." And to John Sterling, in language of affectionate encouragement, about four months before John Sterling's death took place from consumption, he writes: "If you were never able to go through any active exertion, or to write a single line except an occasional letter, or to exercise any influence over mankind except the influence of your thoughts and feelings upon your children and upon those by whom you are personally known and valued, you would still be, I sincerely think, the most useful man I know." The reason why he thinks John Sterling the most useful man he knows he expressed in a single sentence: "Even by your mere existence you do more good than many by their laborious exertions."

These testimonies to his personal friends illustrate a power of subtle imagination in the reading of character which one would hardly look for in the man trained as John Stuart Mill was trained and occupied as he was occupied. One cannot but think that he might easily have made himself a great literary critic or a great interpreter of history, if his inclinations had led him along those lines. Take, for example, from his characterization of Wordsworth these sentences: "The next thing that struck me was the

[1] "Letters of John Stuart Mill," edited, with an Introduction, by Hugh S. R. Elliot, with a note on Mill's private life by Mary Taylor. 2 volumes. Longmans, Green & Co., New York.

[2] An editorial called "The Testimony of John Stuart Mill to Mysticism" will be found in The Outlook for August 13 last.—THE EDITORS.

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extreme comprehensiveness and philosophic spirit which is in him. By these expressions I mean the direct antithesis of what the Germans most expressively call one-sidedness. Wordsworth seems always to know the *pros* and *cons* of every question; and when you think he strikes the balance wrong it is only because you think he estimates erroneously some matter of fact. Hence, all my differences with him, or with any other philosophic Tory, would be differences of matter of fact or detail, while my differences with the Radicals and Utilitarians are differences of principle; for these see generally only one side of the subject, and in order to convince them you must put some entirely new idea into their heads, whereas Wordsworth has all the ideas there already, and you have only to discuss with him the 'how much,' the more or less of weight which is to be attached to a certain cause or effect as compared with others." Or note this discriminating interpretation of Southey: "He seems to me to be a man of gentle feelings and bitter opinions. His opinions make him think a great many things abominable which are not so; and against which, accordingly, he thinks it would be right and suitable to the fitness of things to express great indignation; but if he really feels this indignation, it is only by a voluntary act of the imagination that he conjures it up, by representing the thing to his own mind in colors suited to that passion; now, when he knows an individual and feels disposed to like him, although that individual may be placed in one of the condemned categories, he does not conjure up this phantom, and feels therefore no principle of repugnance, nor excites any."

We wish that Mr. Mill might have given to us a fuller estimate of the French deistical writers, so clear and consent-compelling is his miniature of Voltaire: "How strangely Voltaire's own character has been mistaken; and how little does he seem to have been conscious of what he was about, to have had even any settled purpose in it. He certainly had no intention of being the Patriarch of any sect of Destructionists, and if the priests would have let him alone he would have let them alone. In the greater part of his lifetime he seems to have been timid excessively, and would have abstained from almost anything in order to remain quiet at Paris. But after he had found the quiet he sought at a distance it was the revival of persecution . . . which erected Voltaire, after the age of sixty-five, into the leader of a crusade against Christianity; and it was then, too, that he seems to have found out that wit and ridicule were capable of being powerful weapons in his hands."

The New England adorers of Ralph Waldo Emerson will not be inclined to think favorably of Mill's interpretative power from his somewhat curt dismissal of their great favorite, about whom all he has to say is: "I had a short note from Gustave d'Eichthal the other day, dated from Rome, merely to introduce an American named Emerson, who has sought an introduction to me as a means of obtaining one to you; this I of course gave him. He is going into Scotland, and may possibly seek you out. He appears to be a reader and admirer of your writings, therefore you might possibly do him some good; but from one or two conversations I have had with him I do not think him a very hopeful subject." But, on the other hand, both orthodox and unorthodox interpreters of the teachings of Jesus Christ might wisely take a lesson in interpretation from the principle which he lays down, which is so admirable that we here reprint it in full:

How few are they who have discovered the wisdom of the precept—"Take no thought for the morrow;" when considered as all the sayings of Christ should be, not as laws laid down with strict logical precision for regulating the details of our conduct—since such must be, like all other maxims of prudence, *variable*—but as the bodying forth in words of the *spirit* of all morality, right self-culture, the principles of which cannot change, as man's nature changes not, though surrounding circumstances do. I do not mean, by using the word self-culture, to prejudge anything, whether such culture can come from man himself or must come directly from God; all I mean is that it is culture of the man's self, of his feelings and will, fitting him to look abroad and see how he is to act, not imposing on him by express definition a prescribed mode of action; which it is clear to me that many of the precepts of the Gospel were never intended to do, being manifestly unsuited to that end; witness that which I have just cited; or the great one of doing to all men as you desire that they should do to you; or of turning

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the left cheek, etc., which last the Quakers have made themselves ridiculous by attempting to act upon a very little more literally than other people. All these would be vicious as moral statutes, binding the tribunal, but they are excellent as instruction to the judge in the *forum conscientiæ*, in what spirit he is to look at the evidence, what posture he must assume in order that he may see clearly the moral bearings of the thing which he is looking at.

This same power of perceiving the springs of life and recognizing real and fundamental though not always apparent characteristics is not less illustrated in the interesting contrast which he draws between Paris and London, too long to be here more than hinted at. People care, he says, infinitely less in Paris than in London about keeping in the *gig*. It needs little or no courage in Paris to make the openest profession of any kind of opinions or feelings, for you startle nobody, are sure of an audience, are sure of being supported, and, what is perhaps still better, sure of being attacked. There is despair in London, little or none in Paris. "In France I see every reason to believe that the mass of the well-to-do classes can make themselves comfortable without either God or devil, either literal or constructive, and are well satisfied to eat their pudding in quiet—those, I mean, who have enough pudding to eat, which is an infinitely larger proportion than in this country." There is very little of the artificial demand for mere money. Respectability does not depend upon possessing it. Any man who can dress decently may mix on terms of perfect equality with all whom he meets. But with this spirit of democracy is a spirit of irreligion. "One must be at Paris to know how profoundly irreligious the French are." The books and newspapers are, however, beginning to prophesy a religion in the future or to regret the impossibility of one, or at least to recognize a historical value in the religions of the past. The religion which is prophesied is to be evolved gradually, like a science. One writer thinks that, since there is so much that is good in the Bible, if we knew more about Eastern literature we should find something still better.

Mr. Mill, unlike Herbert Spencer, does not attempt self-analysis save in one instance, in his letter to Thomas Carlyle of January, 1834, a most interesting bit of self-interpretation. If he is right in thinking that he was once "the most self-conscious person living," there is little indication that he is hampered by this spirit of self-consciousness in these letters. This is partly due to his absolute sincerity. We doubt whether a more transparent character is to be found in the history of literature. It is partly due to that earnestness of spirit which accompanies candor, and is indeed its secret cause. "If human beings would but do thoroughly all they do, I believe with you that Good would be much more forwarded than Evil: *halfness* is the great enemy of spiritual worth; whatever shames any human being out of that is of unspeakable value."

The spirit of candor all of us, perhaps, put more or less into our letter-writing, but not many put into letter-writing John Stuart Mill's spirit of earnestness. "To me it appears a very weighty matter to write a letter; there is scarcely anything that we do which requires a more complete possession of our faculties in their greatest freshness and vigor; and all the more so, because if it is elaborate it is good for little." He had no illusions respecting the significance of letters if written in a thoroughly frank spirit. He knows them to be a self-disclosure; knows that in these letters he is writing, consciously or unconsciously, his innermost biography. "It seems to me that there is a very great significance in letter-writing, and that it differs from daily intercourse as the dramatic differs from the epic or narrative. It is the life of man, and, above all, the chief part of his life, his inner life, not gradually unfolded without break or sudden transition, those changes which *take place* insensibly being also *manifested* insensibly; but exhibited in a series of detached scenes, taken at considerable intervals from one another, showing the completed change of position or feeling, without the process by which it was effected; affording a glimpse or a partial view of the mighty river of life at some few points, and leaving the imagination to trace to itself such figure or scheme as it can of the course of the stream in that far larger portion of space where it winds its way through thickets or impenetrable forests and is invisible: this alone

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being known to us, that whatever may have been its course through the wilderness, it has had *some* course, and that a continuous one, and which might by human opportunity have been watched and discovered, though to us too probably destined to be forever unknown."

It would be interesting to go through these letters of John Stuart Mill and trace out his inner life and note the changes which both take place and are manifested insensibly, but to do this imperfectly would be to do it unjustly. To do it perfectly would require not only time for study and space for giving the results of that study, but a combined imagination and analysis equal to that of Mr. Mill himself, and we have preferred in this article to give full extracts from his letters, leaving our readers to deduce such hints as they may from the fragments, and hoping that they will send those who have time for character study and interest in it to the letters themselves. Our extracts have been taken exclusively from Volume I, because in the letters published in Volume II it is said that Mill received much assistance from Helen Taylor, his stepdaughter, and in many cases his letters were written entirely by her; and our object in this article has been simply to indicate the self-revelation which Mr. Mill's letters furnish.

THE SPECTATOR

The Spectator deliberately chose a hot day for his journey through the much-misinterpreted East Side of New York. He knew that the people of the tall tenements would fill the streets and doorways, that fire-escapes would be brilliantly decorated with the bedding that at night was spread on the floors of the homes, the roofs of the houses, and the fire-escapes, adding to the color and the air of festivity that prevailed in these teeming streets. Laughter abounded. Here and there a Hebrew, weighed down by the consciousness of the heterodoxy that attacks the second generation in this country, moved with bent head and murmuring lips through the throng. Women with orthodoxly covered heads sat on the sidewalk beside baskets or stands of goods, as removed from the present day in feeling and comprehension as the praying men who exchanged with them glances of sympathetic recognition.

The rush and hurry of New York is an accepted fact, but these East Side streets are a positive contradiction. The people move as if leisure were their birthright. There are no evidences of hurry. The streets are a fair-ground that offers the conveniences of trade, with the natural social opportunities of such an occasion. With childlike frankness, interest is openly manifested in buyers and sellers. A group or pair engaged in a discussion was surrounded by a listening circle, which, if the discussion was of interest, increased the number of disputants. That these groups retarded movement gave no offense. The people walked round them if they could, or walked out in the streets if the sidewalk were impassable. The very segregation of this community creates a spirit of fellowship that increases the foreign atmosphere which makes this section a city by itself, which has within its bounds wealth and poverty, vice and virtue, greed and generosity, cruelty and kindness, of its own peculiar kind, that only years of residence makes understandable to the outsider. Here and there was seen the nervous, homesick woman, antagonistic to her environment, out of sympathy even with her children, for they are a part of that environment; but for the most part the women were well-poised brunettes who moved through the streets without the least trace of self-consciousness. The dress might be of the cheapest material, but the hair, with its jeweled or inlaid combs, showed the pride, it may be the vanity, of the matrons, while from the shoulders hung shawls whose every fold held a secret of grace.

Push-carts lined the streets in every direction, so close to the curb as to narrow the already too narrow sidewalks, while other carts were pushed through the streets by anxious owners trying to find a space where customers could reach and be reached. Carts loaded to the danger point with gaudy crockery crowded one, offering nails, tacks, screws, bolts, hammers, saws, locks and keys—a veritable hardware store on wheels. A "gent's"

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furnishing store competed with a remnant bargain counter on wheels, while a youth not out of his teens, with a gorgeously painted cart covered by a gay awning, offered cooking utensils of every shape and size. He must have taken a course in domestic science to have become so familiar with the uses of his wares. Voluble, witty, evidently good-natured even beyond the requirements of trade, he sold and made change so frequently as to create evident bewilderment and chagrin among his fellow-venders. Even his customers looked astonished when they found themselves in possession of his wares in exchange for their money.

Through these crowds, held stationary by the offerings of the push-carts on the one side, and of the lowly venders who sat guard over baskets of candy, eggs, bread and rolls, pails of pickles and cans of dried seeds, on the other, the Spectator moved, stopping now and then to learn as never before the value of the fraction of a cent, as buyer and seller haggled over the size of a plum, when six were sold for five cents, or the soundness of a potato, when the quantity sold represented less than a cent apiece. It was a revelation to learn that the transfer of a head of cabbage from a cart to the basket on a woman's arm not infrequently required the services of a referee. Not always poverty caused this care; it was the custom of ages that centered for the moment at a corner of a street in New York.

Now the Spectator knew why people could live from youth to old age in New York and never learn its language. Here in these streets every want, religious, social, commercial, political, was met. The people need never go out of sight of the tenement they called home for any need but the grave. Work and wages, savings and banks, theaters and charities, are at their very doors. Not a sentence of English was spoken by adults. The children speak a composite tongue, that of the home, the school, and the street. Many have tried to catch the language and commit it to paper, but no one ever has. The ear may catch and comprehend, but no pen can put this strange compound of words on paper; even the users cannot write the language as they speak it.

On the Spectator went, past carts loaded with every conceivable thing, from collar-buttons to gas stoves, from spools of cotton to lace curtains, with furniture and fruit and vegetables, until there seemed to be no classification in life. At last he found himself on a clear block, with a lemonade vender on one corner and an ice-cream peddler on the other. Children hurried along in groups, the larger leading by the hand or carrying younger ones, all intent on entering the door of a large building that occupied the block front. Granite, bricks, and glass had been put together to form a whole so beautiful, so out of keeping with its surroundings, that its harmony of outline was the more conspicuous by contrast. Out through its windows and doors floated the high treble of happy children's voices. The Spectator followed the children, and found himself in the summer playground of a public school in New York. Baby hammocks of net were hung in the corner where there were windows on both streets. Beside each was a mother, or an older sister or brother—but often such a little bit older sister or brother! On the floor the toddlers, kept from the traffic of the streets, were busily engaged with the simplest materials tending to the development of construction—bits of painted wood, colored straws, blocks of wood, wooden pegs to fit in holes in a square board, sand-boxes, and pails. At the word "mud pies" the faces of the children in the sand-boxes became blanks or were drawn in perplexity. It was just sand you put in a pail and dumped out. If you packed it hard enough, it did not fall to pieces. "Mud pies" or "pound cake"—why, it was just sand! Pies meant flour and other things. The Oriental shrug of the baby's shoulder dismissed the Spectator as a ridiculous person. The Spectator placed the pegs in a line on the board and called them soldiers. The same blankness and perplexity, the same dismissal with a shrug. They were just pegs you put in a hole and took out again. There were two hundred children, with two sweet-

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faced girls to watch over them and to answer the questions of the anxious mothers who wandered in—two hundred babies, or little more than babies, coming from foreign homes into an American school equipped for American children. What a problem! Is there a solution?

At the other end of the block is a gymnasium, reached through a broad corridor. In the corner receiving the best light were about fifty camp-chairs, each of these occupied by little girls from seven to fifteen, holding babies of every age. Before the doctor came, half as many more were standing, each with her little charge. It was the meeting of the—let the audience tell:

"Who are we? Who are we?
Little Mothers' League of the H. D.
Saving babies is our aim,
Little Mothers' League is our name!
Goo, goo, ah! L. M. L."

This was given with all the vim of the best college yell in response to the doctor's question. To the tune of "Glory, glory, hallelujah," a song of three verses was sung, the chorus of which runs:

"We are happy Little Mothers,
We are busy Little Mothers,
We are careful Little Mothers,
Trying hard to keep the baby well."

The Spectator discovered that not one baby's mouth was disfigured by the wretched rubber and bone devices that are the parents of so many evils. "The baby must be bathed every day." "Its pillow must be kept clean and cool." "No tight dresses." "The milk must be sweet and pure." "The bottles must be clean." "No fruit for the baby" (a look of horror was on every face at the mere thought of the baby eating fruit). These responses were given eagerly by the little girls to the doctor's questions. A little girl came up close to the Spectator with a beautiful baby of eight months held on her hip by her arm. "Your baby is very heavy for you to carry; are you not tired?" asked the Spectator. "No, I love him," was the reply, as the baby was lifted higher on her hip to hold him; and he looked into two brown eyes the owner of which, at seven or less, had learned the secret of making burdens light.

Before the audience on the table was a tin bath-tub, with towels, soap, and a cloth. The nurse looked around for a subject. Every little baby was put forward more prominently. Every Little Mother's face looked appealingly at her, and the clouds shadowed every face but that of the Little Mother at the Spectator's side, who stood radiant with pride when her baby was selected. The bath was a joy to the baby, and everybody laughed with it, but the nurse faced a critical audience, for they too had learned how to bathe the baby.

The Spectator went out again into the crowded streets with feelings of joy. A problem is being solved, and by and through the children in the public schools, New York's greatest amalgamator and civilizer, for it is making American mothers out of the children from the foreign homes about them.

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WHY A POLITICAL PARTY NEEDS MONEY

BY HERBERT PARSONS

WHY does a political party need money?

Let us assume that I am approaching you for a contribution of a thousand dollars for the party expenses this fall in New York County. You very naturally want to know what the money is needed for; so I shall try to tell you. The campaign this year involves local, State, and Congressional candidates. It would not make much difference if it were a Presidential year. The Presidential campaign is a few weeks longer than the Gubernatorial campaign; and experience shows that the longer the campaign the greater the expenses, but beyond that the differences are slight.

There are two kinds of expenditures: one kind virtually required in order that the party may comply with the provisions of the law—as, for instance, the printing of the primary ballots; the other kind required by party exigencies. Both kinds of expenditures are allowed by law; but one of them is virtually required by law. Now, as to the kind required by law, there can be no question; they must be met in one way or another. Let us consider the other kind.

The party must maintain headquarters throughout the year. That costs about $14,000, made up of: Rent, $2,000; secretary, $3,500; stenographer and office force, $4,000; printing and stationery, $3,000; postage, telephone, telegraph, and miscellaneous, $1,500. The secretary to the County Chairman has an important office; the present secretary gave up a salary of $4,500 to accept the lesser salary of this office, at the urgent request of the County Chairman, because he believed the work he was asked to do was a party and a public service. The printing item includes the printing of the primary ballots, which under the present law has to be done by the party organization, or individuals.

Why do we need a force like this all the year instead of merely during the campaign period? For several reasons. For example, you are interested in a matter before Congress, and you wish to write to your Congressman, but you do not know who he is. You write a letter addressed to the Republican Committee, New York, or you telephone. The Committee gives you the information. You may make the same sort of inquiry to learn your State Senator, Assemblyman, or Alderman, or the name and address of some Government official. Conferences have to be held; far-sighted party work is done months before the election. Then, in December, newly elected State legislators want conferences in order to get their bearings; so do aldermen. Many legislators are elected without knowing anything about their work, and without any idea of the continuity of party politics. They call on the County Chairman for information and guidance.

Every day district leaders or individuals come to the County Committee to acquire some assistance or information on behalf of constituents. It may be about getting employment on the Isthmus of Panama. A constituent may have passed the civil service examination to teach in Indian schools, and want to know whether he is going to be appointed. The more ignorant the people are, the more they write to the County Committee. It is a bureau of information on political affairs. Monthly meetings are held in halls, at which special committees are frequently appointed, and these committees need headquarters for meetings and work. We had a special committee on the subject of direct nominations before it was ever agitated by Governor Hughes, and prepared a bill. Much of the structure of the Hinman-Green Bill was based on that bill. Whatever your ideas, you have to fit them to a form; and the form shows the innumerable points that have to be covered. There are questions of enrollment; of the form of ballots; of the time of filing nominating petitions; and there are the penal sections. That committee spent two or three months at work on that bill.

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In 1906 we had to prepare the plan of reapportionment of Senate and Assembly districts; and we spent four months at work on it, day and night. This was a matter of infinite detail, in order to comply with the wholesome restrictions of the Constitution. One year we had a committee which investigated fraud at the polls, and which started the work which has eliminated forty thousand fraudulent votes, a number sufficient to have changed a number of Presidential and Gubernatorial elections.

The Committee rooms are the political business office of the County Chairman. There he can be seen by committees wishing to enlist the support of the organization on behalf of legislation; or to get the President or Mr. Roosevelt to make an address. In dull times of the year the County Chairman must spend fifteen hours a week there; and, in addition, do pretty much nothing but politics at his own office. All experience shows that in a county of the size of New York there must be some central headquarters. You can establish it by custom in the bar-room of a hotel or saloon, which is thoroughly objectionable, or in the private office of the Chairman, which is an unfair expense upon him and ruin to his business, or you can rent offices. Manifestly, the last is the only proper thing to do.

During the summer months the lists of election officers have to be prepared and filed. There are two inspectors, a poll clerk and a ballot clerk of each of the two major parties in every election district; these are nominated by the party, and pass a short examination at the Board of Elections. There are constant resignations which create vacancies to be filled. On the first day of registration a representative from the County Committee is at the Board of Elections before the polls open, and it is always several hours before matters are straightened out so that each election district has two Republican inspectors. Every sort of thing can happen to some of eighteen hundred inspectors, and their places have to be filled.

In getting out the registration effectively, workers are needed, and they must be paid. In the Presidential campaign this cost about $13,500; and the money was well spent. Republican and reform elections are won on registration days, not on election days. Some people would register without any aid or invitation; some will not register until they are personally called upon. There are, on the subject of registration, all varieties of human nature between the two extremes.

All the foregoing contribute to the efficiency of the campaign; but in addition to the headquarters expenses there are campaign expenses. As campaign time draws near, conferences increase in number, and plans have to be perfected. All the arrangements have to be made for the convention, and the calls have to be prepared. In the call is stated the number of delegates that each district, including election districts, is entitled to in the different conventions. A manager of the Speakers' Bureau has to be secured. He occupies a position requiring administrative ability of the highest order. It is a temporary but paid position. Quarters have to be secured for him. Campaign materials have to be prepared, and quarters secured in which to store and distribute them. Care has to be taken that the minutes of every convention are in proper form and are filed in time. Last year there were over eighty conventions in the county.

The expenses of the campaign itself are very great. In each of two campaigns our County Committee spent over $7,500 on postage. We spent in printing one year $24,000, and $5,000 in addressing and mailing. Local candidates usually pay for their own lithographs, or their districts do; but there is considerable expense for lithographs of the leading candidates, and that expense is included under printing. We do not pay many speakers. Volunteer speakers are uncertain quantities, especially in distant localities; nor do they like to speak in the open air, where the most educational meetings are held; so that a corps of paid speakers must be maintained for "truck" or "cart-tail" meetings, and for the outlying districts in the Borough of the Bronx. Some very able speakers are in such demand that it is only fair to compensate them for their time. Why should a man give up every night for a month in exhausting work, sacrificing his own pleasure when other people do not do it and are getting just as

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much advantage as he is getting from the work that he is doing? Some good speakers who are needed to interest and entertain audiences will not speak except for pay. In this category are to be included all kinds of individuals, from reformers and clergymen to statesmen.

Rent is an important item of all indoor meetings. Speakers and meetings will cost about $18,000, five-sixths of it for meetings, which means rent, some red fire to advertise the meeting, and sometimes music or a quartet to sing campaign songs. This was our average after I had cut out every vestige of any plan of using the Speakers' Bureau as patronage.

Important candidates, such as candidates for President, Vice-President, and Governor, have to be taken in automobiles in order to meet their appointments, and so do the reporters who are to comment, favorably or unfavorably, on their speeches. Seven hundred dollars must be allowed for automobiles during a campaign. The speeches of important candidates must be taken down in shorthand, written out in manifold form, and given to the reporters the same evening. This cost us $1,500 in 1908.

Some newspaper people believe that campaigns in the future are to be conducted by advertising. Under the influence of this progressive idea we spent one year $28,500. The expense of the great Madison Square Garden meeting at which President Taft and Governor Hughes spoke in October, 1908, together with the cost of the torchlight parade, was approximately $10,000. In the Presidential campaign the County Committee established three tent camps and maintained one set of noonday meetings. They cost $15,000.

Last year about $27,000 and a great deal of effort were expended, under the efficient direction of Mr. Edward R. Finch, in providing against fraudulent registration and voting. The men who did the work were very largely college and law students. Usually some detective work is necessary. One year we spent $4,000 on such work. Usually about $40,000, which is about $40 to each election district, is distributed for use on election day in getting out the vote. While technically this is called employment for election day, in many cases it is employment for annual services, for the men who are employed are party workers, and while they may be paid only for work they do on election and registration days, they have done work more or less all through the year in keeping track of things in their localities, arguing on behalf of the party's actions, and generally constituting themselves the fighting force. This expense cannot be done away with if you are to maintain an organization to fight Tammany Hall. Forty dollars is the amount allowed by the Elmira compact, which was an agreement entered into in that city by the two party organizations limiting the amount of expenses on election day; this was considered a reasonable sum for legitimate election work. There are times when a vast amount of work is done for nothing by all kinds of people. It happens in some primary fights, and in some elections; but a party organization has to act according to experience, and to what is usual. The Socialists recognize this, and, as I understand it, in some countries have a complete system of compensation. The best work is done by the best volunteers. But a considerable percentage of volunteers always fail you, nor can you ever foretell which they will be, so that you may provide substitutes. The amendments to the Corrupt Practices Act this year require the filing of a statement giving the name of every person employed and the amount he receives—a very desirable reform.

The total of the expenditures for the purposes which I have already described amounts to $208,200. They represent expenditures primarily within the jurisdiction of the County Committee. The State Committee has expenses of its own in maintaining headquarters, supplying train service to the leading candidates, and printing and circulating campaign material. At times it defrays a few of the expenses that I have enumerated; so sometimes does the National Committee.

Locally every assembly district has expenses entirely apart from those enumerated as County Committee expenses. There is a Headquarters Club in every assembly district, open the year round, the expense of which is defrayed by the

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members' dues, entertainments, and chowder parties. Some districts never call on the County Committee for any expenditures on their behalf. They themselves pay all their expenses of registration, election day, meetings, speakers, and literature. There are only two or three that can afford to do this. An effective campaign in a Republican district costs, including the expenses of headquarters of local candidates, $4,000, according to my recollection. Have I not made it clear that we need the money?

We can run an effective campaign in this county for less than $208,000. We ought to have $120,000. We will have to do with whatever we get. We have to size up the situation and guess at what we will get and plan a campaign on that guess, long before we get the money. If we don't get it, we cut down as we can. For any difference between what we get and what we incur, the chairman and treasurer will be dunned—a privilege of which the non-participating reformer deprives himself.

There are four ways of reaching the voter's mind. One is through the newspapers. Hearst needs almost nothing else. The second is through speeches at meetings. These are generally necessary in order to secure newspaper notice. The third, and most effective, is by personal canvass. This is Tammany Hall's method, and Tammany has won under it when every newspaper favored the opposition. The fourth is by circulars mailed to the voters. Perhaps ten per cent of the voters read these; and that is sometimes considered too high a percentage. If you have not the newspapers with you, therefore, the third way, that of personal canvass, which indirectly is that for which the money spent on election day goes, in addition to some money spent directly for the purpose, is the only way to have your side heard. It is as expensive as it is effective. Over $100,000 could be spent on it legitimately.

All of which means that unless you rely wholly on newspapers, including those in opposition, you must spend money to reach the voter's mind; and local candidates in a great city receive almost no notice from the newspapers, and never will receive much attention, short ballot or long ballot.

HOW SPRING COMES TO THE DESERT

BY MARY ALBERTA BEAL

WHEN Fate took me by the hand and led me to the desert, I thought regretfully of the awakening beauties of nature I was leaving behind. An accession of birds and flowers and the freshening green of the hillsides and cañons pulled at my heartstrings. Life-giving rain had given Nature her beautiful garment of spring, and, surely, in the Land of Little Rain there would be no awakening of leaf and blossom. Passengers on the transcontinental trains crossing the desert usually see nothing but desolation written in large letters over its face, and pity the man or beast to be found there. But the desert's attractions are not for the chance hurried traveler. Scattered among the sage and greasewood there are waiting surprises for the friendly visitor. So I unexpectedly found that spring and I had come to the desert about the same time.

When I opened my eyes to the first new day, the song of a linnet gave me "good-morning," the same full, joyous song I had left behind the mountain barrier in cultivated California. White-crowned sparrows added their pure, serene notes to the linnet's song. Other songsters gave voice to their joy, and if ever birds sang of spring these did here in the desert.

That morning was only a forerunner of others like it. Will you spend one day with me, in imagination, and see if you, too, do not feel the touch of spring?

Dawn comes early on the desert, and you will be wakened long before your

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accustomed time by the morning chorus, and probably in the night you will be startled from sleep by a mocking-bird's astonishing performance. Every night for two weeks one sang persistently from the ridge-pole of my tent. At first it is a pleasurable excitement to have a concert burst forth full swing right over your head, but after your slumbers have been disturbed two or three times in one night the novelty wears off, and you wish the mocker were not such an indefatigable songster—at least, that he would confine his efforts to daylight hours.

You must not miss the sunrise—it is something you will never forget. No matter how sleepy you are, open your eyes and lift your head from your pillow long enough to drink in the marvelous display of color; see the mountains tinged with the rosy sheen and the light clouds aglow with it; watch it change from bright red to gold, and then, after the sun has pushed up over the horizon, go back to your nap, if you will. Ten to one you will stay awake to listen to the orioles' reveille in the cottonwood beside you, and then you will catch the clear, ringing lilt of the meadow-lark, and perched in an old willow shag a lark-sparrow will charm you with its perfect song. A flash of yellow and green attracts your attention. There in the first mesquite is a pileolated warbler, his trim little figure, with its shining black cap, a familiar friend of your mountain days. Perhaps a yellow-throat and a yellow warbler will join his search for insects, all singing their soft, sweet little warbler melodies. A bright-coated lazuli bunting might happen along with his plainer mate, and, if he should give you a solo or two, you will straightway forget all desire for sleep. Intermingled with more musical recitals, the kingbirds' noisy quarrels and the scolding and taunting screech of the white-rumped shrikes dominate the whole landscape now and then. A whir of wings and a chorus of "tchaks" announce a flock of blackbirds—plain, yellow-headed, and red-winged. Taking possession of the cottonwood tree, they all talk at once, their harsh, discordant voices relieved now and then by a softer, sweeter note. Watch a big yellow-headed fellow trying to win the approval of a demure brown female. He stretches his neck and twists his head, giving the most lovesick "squawks" and languishing sighs. I may be unsympathetic, but I can't help laughing at the soft, silly thing! The redwing's cool, refreshing "O-ka-lee-ah" fills me with delight, and his shining black coat and bright-red epaulets never lose attraction. All these spring song-birds are common visitors to my cottonwood corner, and passing overhead, the killdeer's shrill scream is frequently heard. A few steps away the sage-brush and greasewood are alive with the tinkling little melodies of many desert sparrows, always eluding your close scrutiny.

A walk out in the desert brings to light more of the spring's gifts. This vast expanse of flatness, sprinkled with the green and gray of creosote and sage, is not only an abiding-place for horned toads and lizards, "side-winders," jack-rabbits, and coyotes; scattered among the typical desert growth are flowers of unexpected delicacy and fragrance. From one spot you can see a dozen varieties of bloom—many yellow, daisy-like blossoms; delicate blue, pink-tinged larkspur; low bushes covered with fragrant greenish-white spikes, reminding one of sweet alyssum; the silky, flaunting magenta of the prickly pear; bunches of tiny pink stars; soft, fluffy yellow dandelions, the center petals tipped with red; gorgeous masses of pinkish-lilac sand-verbenas, spreading out in a wide circle long, trailing stems, which every few inches put forth smaller-stemmed bunches of delicate bloom, with an elusive, fascinating fragrance; and, best of all, the wonderful sand-lilies. The long stalk, growing up straight a foot or two, bears sometimes three dozen buds which open into white lilies, heavy with fragrance. It is astonishing to come unexpectedly upon this symbol of Easter. One feels as if a miracle had taken place. Up the slope are spikes of creamy yucca-bells, the tall stalks higher than a man's head; and on the hills beyond the river are beautiful large asters, with a hint of lavender in their feathery blue petals. A few miles to the east grow in profusion the thistle-poppies—large white blossoms of remarkable beauty—sisters to the Matilija poppy. The creosote-bush is yellow with bloom; the various sages are tipped with blue, lavender, or purple; the mesquite is strung

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with feathery yellow catkins; each straight stalk of the arrow-weed is crowned with a bit of lavender; in fact, every shrub of the desert has a touch of color.

A fitting close to a day of song-birds and flowers is a desert sunset! The Calico Mountains to the north first announce the day's decline. Late in the afternoon its rents and gashes become masses of purple shadow, strikingly outlined by the exposed sunlit stretches which are gradually absorbed until the whole mountain is dull and lifeless. When the sun is low, the rugged range to the southeast is tinged with a rosy glow varying from a dull pink to a deep rose, into which a purple hue gradually blends till it subdues all the brightness, and the purple, in turn, changes to blue. As the sun sinks out of sight the light clouds in the east become softly pink, the color spreading around to the north, and finally centering in the west, where the clouds are masses of burnished gold, which merge into a brilliant rose-color. Sometimes between the bright clouds and the horizon is a stretch of delicate green, with a hint of yellow light shining through; and always, in living over a desert sunset, you will see the soft circling flight of the nighthawk skimming over the ground and hear the low call of the dove. When the brightness has faded, and the blue has crept in and banished the red, you draw a deep breath and feel yourself a part of the peace and quiet of the sky. You begin to understand the lure of the desert. You feel as if body and soul had always been crowded for room and had suddenly been set free in this immensity. When night falls and you lie down to sleep under the sky thickly studded with stars, the clear wind-swept air caresses your cheek with a touch as soft as velvet, and you fall asleep thanking God for this country of vast spaces and rugged mountains, the playground of mighty winds, and sleep under the stars is sweet and refreshing.

THE POLICE JUDGE AND THE PUBLIC

BY GEORGE W. ALGER

MANY years ago a learned naturalist wrote a book on the topic of "Earthworms." It seems at first blush a foolish subject for a book. Those who fish know that earthworms are good bait for certain fish; those who do not fish can conceive no great importance in earthworms. Yet this naturalist, after much study, was able to prove that the fertility of soil was to an extraordinary degree dependent upon the activities of these uninteresting little creatures, who, by changing soil, brought the low underlying soil to the surface and made it rich.

The average citizen has as much regard for the police judge as he has for the earthworm. To him the police judge is a sort of necessary evil, performing a function akin to that of the embalmer or the man who attends to cesspools. The lawyer who is accustomed to spending his working day in the study of nice questions of law and in the exercise of logic and ingenuity in courts, presided over by learned jurists, in which property rights are determined, and where well-dressed litigants explain their troubles to jurors who are required to own property to qualify them to serve, where order, decorum, and the usual sanitary surroundings prevail—this lawyer knows little, and cares to know less, of those huddled, ill-smelling, ill-ventilated places, the police courts, where the ignorant, the vicious, the propertyless, get their notions of law; where the foreigner makes his first acquaintance with American justice.

Because we have accepted for so many years the lawyer's professional attitude toward the police court, because to be a police judge is to be endowed with a doubtful dignity, the police court has been the branch of the American system of justice which has improved the most slowly. It has been dominated by ward politics; it has been the court in which, in the novels,

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the alderman really presides with his all-powerful "pull." The police judge is in the popular mind to-day what Justice Shallow was in Shakespeare's England. We are just now interested, however, in criminal law reform. We, the public, wish our system for punishing crime to acquire greater certainty; we want to abolish antiquated technicalities in the higher courts in which serious offenses are tried. But we are not yet generally interested in the police judge or in his dingy, dirty court. Because we have not been interested, because the enormous practical importance of the police magistracy so long has been unrecognized, we have in many, if not in most, of our city police courts, conditions which are appalling, and the correction of which is a matter of the most urgent importance.

The police court is the court of all courts which should be dominated by intelligence and honesty. It offers the greatest and most neglected field for constructive law reform of a type which as yet is almost unknown. The field is there because the really great problem of criminal law is the one which will exist after all the technicalities which now defend the guilty from the punishment of the State have been brushed away. The decrease of crime is a problem which some time will be attempted, and perhaps will be solved by the police court and through the activities which must come from or center about it. For this reason it is a most inviting, though still neglected, opportunity, open to those who are interested not in the criminal law of the past but of the future. That law must have a constructive side. It will have to be a criminal law which is not merely devoid of technicalities and unjust opportunities of escape for the guilty. It must have a branch which deals with the reform of the criminal, a matter of infinitely greater importance than any which has yet received practical attention. In this phase the public lately has become deeply interested, and its interest is manifested in a striking way.

Consider an example: In a Western State a young man, elected to a court of peculiar type, which combines the functions of the police court with others of a different character, has accomplished such results in one special part of the police court side of his work as to give him a great National reputation.

That reputation has been based on an idea of the greatest possible simplicity and on what he was able to accomplish through it. The idea was that the police judge should do something with children, that they should be better, and not worse, because they came before him. Instead of operating the judicial machinery in the usual perfunctory, treadmill fashion customary among these magistrates, he did three amazing things: first, he took an interest in the conditions which made the individual boy or girl go wrong; second, he took an interest in the child personally apart from the offense with which the child was charged; third, he took the trouble to examine the places of correction to which the machinery of his office in its usual operation would require him to send the child offender for punishment. The result has made Judge Lindsey and his children's court famous.

One fact regarding the success of Judge Lindsey which is specially worthy of comment is the instant response of the people to his work, the recognition and interest which that work has aroused all over our country, and the almost pathetic eagerness with which we have expressed our approval of a police court judge who is enough interested in one corner of his job to do something really constructive towards developing a useful court out of one of a traditional and backward type.

The public ordinarily is in advance of its existing law in the treatment of crime and criminals. It only needs officials who take more than a perfunctory interest in their work and who will give the people the facts and the plans; the improvements will follow. When John Howard was made High Sheriff of Bedford County in England in 1773, he took more interest in his job than had his predecessors, for he visited jails himself, instead of leaving such matters to his deputy, as his predecessors had done. He found the jails under his control in a dreadful condition, and in them numbers of prisoners who had been there for months after they had either been found innocent by a petty jury, or who, for lack of evidence against them, had not even been indicted by the grand jury. He learned that these men were prisoners simply be-

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cause they could not pay the jailers' and turnkeys' fees for their discharge. Now here was where a perfunctory official's duty ended. So far as these innocent persons were concerned, their continued incarceration was legal; the jailer and the turnkey were legally entitled to these fees, and no person imprisoned in the jail could have his liberty, even if he were declared to be innocent, unless he were able to pay these fees.

Strictly speaking, it was not Howard's business to change the law. It was not his business to pass laws requiring sanitation and ventilation in the jails. It was not his business to go about and examine the jails in other counties as he did. John Howard was the father of English prison reform because he did these things which were none of his business. The perfunctory sheriffs who had preceded him had never investigated, or, if they had investigated, had never done anything about these conditions with which Howard busied himself. The reform was not a difficult one; it had simply lacked a man. One year after Howard was appointed Sheriff of Bedford County, Parliament enacted laws due to his representation of facts concerning the condition of prisons. The fees which for years had kept poor and innocent persons in prison were abolished, and laws were passed requiring the prisons to be cleaned and ventilated, prisoners to be clothed, and infirmaries to be provided for the sick.

We hear so much about dishonest public officials in these days that we are sometimes inclined to exaggerate the importance of the peculator as an enemy of progress. It is perhaps no exaggeration to say that the dead-weight of the routine official is a heavier burden. The reform of governmental machinery, to be done effectively, should be done largely from inside. It is done badly in many cases because it has to be accomplished from outside, through the activities of persons who are not fully familiar with all the facts and are not in a position to get them, and who have to do work which could be done more efficiently through officials whose business it is to know the facts, but who have no sense of responsibility for improving conditions in their own provinces, and who have no special desire to change anything but their salaries. The most conspicuously useful servants our country has had in public office have been very largely men who had a talent for not minding their own business.

When the improvement of conditions in a given branch of government is not accomplished through the co-operative action of the public officials in it, or when that co-operative action is insufficient for the requirements of normal progress, it proceeds, not by slow, regular steps and stages, but by long pauses and adventitious jumps. One of these "jumps" in police court reform is now taking place in New York. It comes as the result of the inquiries of a Commission appointed by Governor Hughes in 1908, called a "Commission to Inquire into the Courts of Inferior Criminal Jurisdiction," which made the report of its investigation to the New York Legislature at its last session, on the basis of which report legislation has been at once enacted in that State.

While in one aspect of its work this Commission was dealing with an essentially local matter—the conditions and workings of the lower criminal courts of a single State, and more especially of a single great city—the report is of more than local interest. It is a study of a concrete phase of a general problem, and the work of the Commission will lose one-half of its potential value if it does not lead to similar inquiries in other States.

The magistrates' or police courts of New York City are, through the magnitude of the business done in them, the most important of their kind in the United States. In them, the Commission declares, in the neighborhood of three hundred thousand persons are annually brought before the magistrates to answer some charge or complaint against them. Add to this enormous total the spectators or witnesses, the friends and relatives of complainants and defendants who throng these courts every day in the year, remembering that the vast majority of this throng are from the lower ranks of society, and that they get from the workings of the police court their principal, if not their sole, concept of American justice and the power and dignity of American law, and to the mind of even the most indifferent the character and quality of police court

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justice become a matter of superlative importance.

The well-to-do citizen subjected to the annoyance of an arrest because of a too impatient automobile, when he sits in a New York police court awaiting his turn, in the huddled hurry of its complex confusion, looks with curiosity at the line of unfortunates who come one by one from a door at a side of the court-room to the magistrate's desk. The men and women who compose this cavalcade at that moment, in the eye of the law at least, are presumed to be innocent. They simply have been without funds or well-to-do friends through whom to obtain bail. They have been "detained" until the magistrate has inquired into the facts to see whether there is any just complaint against them, and the inquiry into those facts is about to take place. Between the time of arrest and this pending examination, how have these presumably innocent persons been treated by the State? How have they been detained? After a night in a station-house, in which only the most hardened offenders, accustomed to park benches, can sleep, and after a breakfast which only the least civilized can eat, unkempt and sleepy, the prisoner comes to the portal of the court, the detention pen, in which he or she awaits the examination by the judge.

The Commission examined the detention pens. The conditions they found in substantially all of these courts were bad, and in many, particularly in the busiest of them, shocking. What they found is best expressed in the language of the report itself:

> In the Second or Jefferson Market Court, where the night court is held, the detention pens, to use the language of Magistrate House, "are in a horrible condition. There is a little bit of a lobby and two large pens. One side the women, and the other side the men. In the women's detention pen, over in the corner of a little jog, is a toilet, but no door and no screen to shut it off. In order to pass these detention pens, you have to pass through a door that takes the prisoners back into the prison that is under the supervision of the Commissioner of Corrections, provided the prisoner is held for trial, is fined, or is held for examination."
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> The Commission, upon the occasions of its several visits to the night court, held at Jefferson Market, was shocked by the conditions resulting from these primitive and inadequate detention pens. Women were huddled together, young and old, first and hardened offenders, some innocent and subsequently discharged, and this women's pen immediately adjoins the men's pen, similarly crowded. On several occasions there were more prisoners than these pens could accommodate, even with all the crowding, and the prisoners, men and women indifferently, stood in front of and beyond these pens. Some of the prisoners were engaged in loud talking, and the young and often the innocent were subjected to the indignity of being compelled to hear vile and blasphemous language.
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> To this and the other courts are brought large numbers of respectable persons who are not charged with any offense involving moral turpitude, but merely with the breach of some regulative law or ordinance.
>
> In the courts in the Borough of Brooklyn the same conditions prevail, in the majority of instances, of inadequate accommodations and improper proximity of the pens for men to the pens for women, and in some instances the conditions are not only reprehensible but absolutely intolerable.

Until recently in New York, when a prisoner came from the detention pen to the court-room for his examination, he was at once brought into contact with an institution which has resulted in an immense amount of injustice, through which there can be no doubt that hundreds, if not thousands, of innocent men and women have been subjected to undeserved punishment for crime. This institution was a matter of stupid and senseless court-room architecture, the infamous "bridge."

The old system of police court procedure was as follows: The policeman who made the arrest of the prisoner brought him across the court-room floor and placed him in front of a rail about as high as the average adult's shoulders. This rail was the outer guard-rail of an elevated platform reached by two steps at either side, and located immediately in front of the magistrate's high desk. The accuser and his witnesses, the policeman, the police court reporter, and the lawyers, if there were any in the case, stood on this platform or bridge, where they were on the same level with the magistrate and near enough to touch him. If they spoke in a whisper, the magistrate could hear what they said. They spoke with their faces toward the magistrate and their backs to the prisoner, who peered upward like a rat from a pit. The accuser was given

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a psychological advantage. He was *above* the man he accused, and pointed down at him when he gesticulated. He was close to the judge and on the same level with the judge, while the prisoner was six or eight feet away from him and below him. The law says that a person accused of crime is entitled to be *confronted* with the witnesses against him. The architect of the bridge contrived that the accused person should see only the sides of the faces or the backs of the heads of those who bore witness against him.

The report of the Commission advising the abolition of the bridge is worth repeating:

> While the hearing is going on, the complaining witness, in most instances a police officer, stands close to the bench, with his back to the defendant, often giving his statement or testimony in a voice so low that the defendant, when he is below the bridge, cannot possibly hear him; the magistrate himself likewise frequently speaks in tones so subdued as to be inaudible to the prisoner, with the result that the policeman who is stationed on the bridge plays entirely too important a part, frequently conveying in laconic sentences to the prisoner the nature of the charge and the questions of the judge, and then conveying back to the judge the mumbled answers of the prisoner. On a number of occasions it was apparent to the Commission that the prisoner did not know what was going on, and that the hearing was one only in name. There being no witness chair, the whole proceeding lacked even the semblance of judicial procedure. Frequently there are so many persons on and around the bridge that it is almost impossible for the prisoner to see the magistrate. The interior arrangement of these court-rooms, thus briefly described, and this method of conducting hearings, are disgraceful in an enlightened community, and should be forthwith ended once and for all.

The thing has been done; the bridge is now gone. By a few days' work carpenters have changed the whole aspect of the New York police court, and have immensely improved the possibility of justice to the poor. The pity is that so simple, so obvious, so cheap, and so important a thing should have taken so long and have required the solemn investigations of a Commission to discover and correct it.

Of course the abolition of the bridge will mean less speed in police court hearings. A prisoner put in a position where he can know what is being said against him, instead of receiving the scraps of information which formerly reached him at the bridge, is quite likely to have more to say in his own defense. It was actually urged in opposition to the Commission's proposal to abolish the bridge that any procedure which should make for a more deliberate hearing would involve much time and cause much delay! The Commission very wisely refused to give weight to any such extraordinary argument.

The importance of giving a judicial dignity to proceedings in the police court cannot be recognized too soon, and the Commission very properly lays emphasis upon this matter. It would be unjust to say that none of the New York police magistrates have regarded this as essential. It is, however, fair to say that the majority of them, at least in the congested districts of the larger boroughs, for years have been running courts in which there has been no dignity, in which the crowd of persons standing around the judge's desk, talking to the clerk, talking to one another, or passing to and fro, has been such as to make the process of dealing out criminal justice resemble nothing so much as a bargain counter in a very dirty department store.

It would be unjust to place on the police judge the sole responsibility for the conditions in which he has in the past been obliged to do his judicial work. So long as the dignity and importance of his office are unrecognized, so long as Mayors can be found who will, as Mayor McClellan, of New York, did in many instances, make grossly unfit appointments to these benches for purely political reasons, of men mentally and morally unfit for any judicial office, so long as the city itself has so little regard for the surroundings in which justice has to be dispensed as to require buildings to be used for court purposes which are so dirty or dilapidated as to be a menace to health, we are not entitled to expect in them a high standard of justice, or even a reasonable show of dignity.

The Commission has shown clearly the need of large expenditures on new buildings and on repairs upon those which still can be repaired. There should be enough

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public interest aroused to induce the public authorities to spend the money which these improvements require. The legislation which has resulted from the investigations of the Commission will not compel the erection of decent court edifices, nor the building or renovation of places of detention for those accused of crime—that still remains for the city authorities. It is to be hoped, however, that the time is at last ripe when these conditions will be changed, when the Children's Court, for example, will be created in fact instead of in name, as a substitute for the very crowded old building which serves that purpose now.

The legislation which has resulted from the report of the Commission has, on the whole, been admirable. The laws relating to the courts of inferior criminal jurisdiction in New York City are now brought together in one definite enactment to take the place of a disjointed patchwork, the accumulation of many years of haphazard legislation. Those who are interested in this branch of law will no longer be embarrassed by an inability to find the law, a result in itself extremely desirable. The City Magistrates' Court, corresponding to the police court of ancient days, is now divided into two sections, the first division embracing Manhattan and the Bronx, and the second the rest of the city, each division consisting of sixteen magistrates and a chief magistrate. These magistrates sit separately in the various parts of the city. The old magistrates continue in office, their successors being appointed, as heretofore, by the Mayor. Several branches of this court are provided for, including a night court for men and a separate court of like character for women, and a so-called Domestic Relations Court, to be held in each of the boroughs of the city, in which all persons compelled by law to support poor relatives, persons charged with abandonment and non-support, husbands who desert their wives, and mothers who desert their children, are brought for trial. Provision is made for the handling of a large class of petty offenses, violations of the city ordinances, etc., without the unnecessary arrest of the person charged. This is done by legalizing a form of summons to be served by police officers upon the person charged with the offense, requiring his attendance at a police court to answer the complaint at some given time. The statute collects and improves the provisions relating to the probation of offenders, both of adults and minors. It forbids magistrates to be representatives of any political party on any executive committee or governing body of the party, thereby taking the "district leader" off the bench and stopping an ancient scandal by preventing the use of judicial power for political purposes. It requires separate places of detention of female and male prisoners and of youthful, less hardened offenders and older and more hardened offenders of the same class, and requires every cell or room adjacent to a court used for the detention of prisoners or as a waiting-room for witnesses to be kept in a sanitary condition. It definitely requires proper facilities to be afforded to every person arrested to communicate with his friends, without, as heretofore, being subjected to the extortion of police officers and attendants. It directs a system of finger-print identification of prostitutes in the night court for women.

Far more important, however, is the provision which the new law makes for a chief magistrate with broad powers who is authorized by the act to assign the other magistrates to duty in the various branches of the court, to fix their hours and supervise their work and their records. It is one of the most promising features of the new legislation. The position is one of great possibilities, and a chief justice of high administrative efficiency can accomplish much in reorganizing and improving the court. Mayor Gaynor has made a most admirable appointment to this office in the selection of William McAdoo, who as Police Commissioner demonstrated remarkable efficiency in handling one of the most difficult administrative positions in the city government.

These changes are all, no doubt, valuable. On another and equally important branch of the police court problem—the jurisdiction and powers of the court itself—there is much still to be done. The police judge prior to the new legislation had very little authority to impose fines or imprisonment, even for the pettiest offenses. Instead of largely increasing his power

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to impose summary punishment for offenses of the misdemeanor class, the only actual extension of power which the new legislation has provided for is that which permits the judges to punish automobilists who are "first offenders," and persons cruel to animals. All other misdemeanor cases they "examine," hear both sides, and then, instead of deciding what punishment, if any, is to be administered, hold the defendant, if there seems to be enough evidence against him, for Special Sessions, a court presided over by three justices sitting together, where the whole thing has to be gone over *de novo* and judgment rendered. The Commission believed it advisable to maintain this system rather than to change it radically. Those who have seen in times past the present Court of Special Sessions in Manhattan at work trying to grind out the accumulated cases sent there from police magistrates' courts, running often from one hundred and fifty to two hundred cases a day, have seen a spectacle of the law's hurry, compared with which the law's delay seems trifling and unimportant. The system itself is entirely illogical and archaic, but, if it is to continue, the Commission has at least improved it by increasing largely the number of Special Sessions judges.

There is no scientific or logical reason for the existence of a system which either requires or permits cases involving petty misdemeanors to be heard on their merits and fully investigated by a judge, and which then forbids that judge to decide the cases which he has heard, but simply requires him to sift out those which merit retrial in some other court by three judges authorized to pass sentence. This duplication of labor is indefensible except on practical rather than scientific grounds. It makes for delay where promptness is indispensable. It is a procedure akin to the indefensible treadmill method in vogue in civil cases in the justices' and Common Pleas Courts of Philadelphia, which are the subjects of bitter complaint from poor litigants. It is still more harmful in criminal than in civil law. This duplicate trial procedure not only makes for delay but it imposes upon the complainant and his witnesses a double burden of spending two at least and often three days in court attendance in petty misdemeanor cases where one should suffice, and tends to discourage thereby complaints—a distinct disadvantage to the peace and order of the city. If, as has been urged, many of the political judges in New York are not to be trusted to exercise an actual judicial power, the Bench should be reorganized. Power, and not the mere appearance of power, should exist in that court.

The appointments to the enlarged Special Sessions Court which the Mayor has made are undoubtedly excellent. As in the case of the police court, the new law provides for a chief justice with similar powers, and Mayor Gaynor has appointed to this office one of the best known law professors of the city, Isaac Franklin Russell, a lawyer of exceptional learning and known ability. The objection to the Court of Special Sessions is not to its personnel but to its theory. It is an anachronism. The judicial machinery of which it forms a part is unduly complicated and needs simplification. In mechanics a machine which provides two moving parts to do work which can be better done by one, if properly adjusted, lacks mechanical perfection. The same criticism is equally applicable to the relation between the police court and the Court of Special Sessions.

It is to be hoped that legislation may be adopted at another session which will obviate some of these serious objections and which will increase in some adequate way the authority of the police magistrate's court. The city does not get from that court to-day a fraction of the value which is potential in it. To develop that power would require the expenditure of money and intelligence, but it would be money and mentality well spent. The police judge, for example, is in a better position to check the lawlessness and corruption of the police than any other public authority outside the Police Department itself. The magistrate is in contact with the policemen throughout every hour of the court day. He is in a position to know more about police graft and oppression than any other public authority. Acting in concert with the police authorities, he can be of incalculable service in the reform of the Police Department, and in the stamping out of those grave faults for which it has become notorious.

We have statistics of labor regarding

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industrial accidents, the extent of unemployment, and other matters of kindred nature on which public information is important. Such data have been found useful for legislative purposes in the solution of our pressing industrial problems. Can there be any doubt that adequate statistics of crime would serve an equally useful purpose? Criminality, we are told, tends to increase in our American cities. Why? What are the crimes which tend to increase? What are the principal causes? From the police court, with properly kept records, this information readily could be obtained and put to good uses. Such information is of fundamental importance, if we are to cope with one of the great American problems—this problem of the increase of crime. Under the new law the chief justice may require the collection by the magistrates of this statistical material.

The magazine press for the past few years has been filled with articles inveighing against the technicalities which defeat justice in our higher courts and by which guilty men have escaped and continue to escape justice. Conspicuous and serious as is this general defect in our system of criminal justice, however earnestly we may urge reform in that system at the top, the reform which can produce the greatest and most far-reaching results must begin at the bottom. A court in which annually in one city three hundred thousand persons are arraigned on charges of crime is, from this point of view, more important than the New York Court of Appeals, in which in the same time perhaps a hundred criminal cases are heard.

We are making the first rude beginnings of a system which looks to the reform, as well as to the punishment, of the offender. With the success or failure of this new institution the police judge has much to do. If he performs perfunctorily the function allotted to him by the probation law, if his interest in it is small, if the law itself is so framed as to leave him without necessary authority to assist in its operations, the serious criticisms of this system will continue.

That there is much yet to be done in thus co-ordinating the work of the police magistrate with that of the forces interested in the reform of the offender, a recent event and a new section of the law both bear witness. During the progress of the recent so-called "shirt-waist strike" one of the city magistrates, who has been on the bench for years, sentenced a number of little girls to the workhouse on Blackwell's Island for disorderly conduct for their work as pickets in this strike. The propriety of these sentences was seriously criticised at the time, and some of the philanthropic ladies who became interested on the side of the strikers visited the island to see what the conditions and associations were into which these decent working-girls had been placed by the magistrate's action. A report of what they saw there was published in the daily press. Later, in passing upon the cases of other young girls brought before him on a similar charge, the magistrate was reported to have expressed himself as shocked at these revelations of the conditions of the workhouse, and to have stated that he had not realized what the effect of his sentence had been or the moral dangers to which he had exposed these girls. One of the new laws which has resulted from the work of this Commission expressly requires the magistrates *once a year* to visit the places to which they commit prisoners.

Some time far in the golden future students of the history of social salvage, delving in the musty records of the past to trace the slow upward movement through which American criminal law shall have developed its constructive power, will find this statute and tell an incredulous public that there was a time long ago when the welfare of the criminal and the condition in which he was restored to society were considered of so little importance that such a statute was found necessary.

We need somehow to get, if we can, a different attitude toward the police court. Most of us have read so many stories of its tragedies and comedies in the magazine press that it is hard for us to realize that it is a court and not a theater. It is a vital court, its effects incalculably far-reaching; and when in the public mind the importance of prompt and efficient justice at first hand becomes of primary, rather than of secondary, importance, when we begin to realize that respect for

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law has to be generated first and especially in the courts where the people themselves in the largest numbers come in direct contact with it, when we realize these things, and not till then, will the police court in our great cities become what it should be—a court adequately equipped, decently housed, and presided over only by judges both capable and willing to perform the functions imposed upon a highly responsible branch of the judiciary. If the work of the Commission has helped, even in a small degree, to bring about this needed change in public opinion, it will have justified its existence. We are in the era of preventive medicine. It is time that we arrived at the period of preventive law.

HOW TO CONTROL THE TRUSTS: THREE VIEWS

I—DISCRIMINATE BETWEEN GOOD AND BAD TRUSTS

I HAVE noticed that The Outlook has favored the bill recommended by President Taft providing for a voluntary Federal incorporation of the trusts, giving certain advantages to those which availed themselves of it, but leaving the law as it stands regarding all others. It seems to me such a proposition would be absolutely ineffective, that the trusts which have really plundered the public will take their chances under the present law, and if dissolved will reorganize under new forms in such manner as finally to defeat or evade all proceedings taken against them. It is only the "good trusts" which will submit to the Federal halter voluntarily, and these are the very ones which do not need it. It has long appeared to me that the proceeding taken against unreasonable restraint of trade and the oppression of the public ought to have as its purpose, not the ineffectual dissolution of a corporation nor the punishment of officials (who will generally be subalterns, as these are often the only ones against whom proof can be brought), but that the object of such a proceeding should be to declare the trust a harmful monopoly, and for that reason subject to supervision and control by the Bureau of Corporations in the same manner that railways are subject to the control of the Inter-State Commerce Commission. This Bureau ought to have the power to prevent extortionate prices in the same way the Commission has long had power to prevent extortionate rates. As to whether the power to fix prices shall follow (as it did later in the case of the Commission), would be determined by future developments. The Bureau ought to require equality of treatment of the trust's customers in the same way that the equality of treatment of shippers is now required of railways. Other analogies will suggest themselves.

Two other alternative propositions have been made—the one a Federal license for all corporations whose products enter into inter-State commerce, and the other a compulsory Federal incorporation for all such organizations. These propositions go too far in some respects and not far enough in others. They do too much in requiring a Federal license or incorporation in *all* cases, including cases where competition is free or where the corporation has conducted itself properly and there is no complaint against it. These cases embrace the great mass of present corporate activities. Where competition is free, it is still the best fixer of prices and regulator of conduct; therefore these propositions do too much in attempting to supervise industries where no supervision is needed. Federal intervention is necessary only against oppressive trusts.

But the license system and the plan for Federal incorporation will do too little in this. Distributing their activities over too broad a field, they will not effectually regulate the really harmful trusts. As to these, the control of the Bureau of Corpora-

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tions ought to be complete, embracing the power to examine all books and accounts and every department of the business even more fully than bank examiners examine the accounts of National banks to-day; and it should include the power of continuously preventing extortionate prices and the unequal and unfair treatment of any particular customer or class of customers, and any particular section of the country. As to such institutions as the Sugar Trust, the Beef Trust, the Standard Oil Trust, etc., the remedy should be permanent and drastic, limited only by the provision for a reasonable profit upon capital actually invested.

I made these suggestions in a somewhat different form to Mr. Roosevelt when he was President. He feared that Government control which depended upon the issue of a lawsuit would be subject to such delays and uncertainties that it might not be effective.

I also communicated the plan to President Taft, and his objections seemed to be of precisely the opposite character—that the remedy was too drastic, and that *voluntary* Federal incorporation would be better.

Now, if our present legal system is too cumbrous to determine with requisite speed and certainty whether a given corporation is an oppressive trust, a new tribunal might be organized to decide this question by more summary proceedings. But it seems to me there ought to be official determination of this fact before the Bureau of Corporations begins to exercise the supervisory and mandatory powers which that Bureau ought finally to possess.

WILLIAM DUDLEY FOULKE.
Richmond, Indiana.

II—DESCRIPTION RATHER THAN RESTRICTION

In order to remedy corporation evils certain correctives are talked of which are well meant, but which if applied would destroy initiative and restrict development. Curbing manipulation and speculation in stocks and limiting capitalization are advocated as some of the remedies.

It seems to me the following remedies will help the situation, while others proposed will do more harm than good.

First: Stock Manipulation. The investor has a right to know that the Wall Street yardstick contains thirty-six inches, and the Wall Street pound sixteen ounces. To-day he doesn't know the approximate value of stocks which he buys even on the New York Stock Exchange. *Make the seller describe his goods as a hardware or other dealer is obliged to.* Oblige corporations whose securities are offered to the public through the medium of the New York Stock Exchange or otherwise to publish twice a year a statement showing the net value of their income-producing assets and the percentage of income earned per share on their stock. This sworn audit to be made by a "Corporation Examiner" appointed by the State or Nation with functions similar to a Bank Examiner. These facts can be set forth in a way so that any layman can understand them.

If a corporation is actually earning $10,000 per annum, it matters little whether its capital is $10,000 or $1,000,000, the selling value of the total share capital will be approximately the same, and when the investor *actually knows what he is buying* manipulative pools won't frighten or fool him. These audits will not be made public unless and until an offering is made of the corporation's securities to the public. If it is a newly organized corporation, the fact that it is non-income-producing must be set forth. Corporation statements as set forth to-day may or may not mean anything.

Second: Capitalization. The value of a railway or lighting plant is not determined by its cost, but by its value to the community it serves. This value to the community and the earnings resulting therefrom cannot be accurately determined till after the creator of the enterprise has taken a speculative risk for which he is entitled to a large profit, both on account of his hazard and because of the benefit to the public.

The Massachusetts system of regulating public service corporations is much heralded as an admirable law. For the corporation with a high credit and a wide market for its shares which are selling at a premium, it works satisfactorily and is an excellent curb. To the smaller public service corporations with fair credit and just about making both ends meet, the

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law is a hardship and restricts development. Within the past twelve years it has been possible to buy the controlling interest in a number of public service corporations in Massachusetts which were dying of "dry rot"—because the owners of said corporations could not attract outside money on a basis permitted by the Commission—at much less than half the par value of their shares which had been authorized in previous years by the Commission. They were not worth *their actual cost* because their future development had been restricted. Finally the shares depreciated to such an extent that the opportunity of doubling their money in these depreciated shares gave new interests an incentive to spend the necessary money in rehabilitation and development of these corporations.

The Massachusetts system will work satisfactorily in the developed community where public service corporations are prosperous, but it would destroy initiative in a State that was in the process of development; Oregon, for instance.

Let the banker or promoter capitalize for what he pleases, but restrict the price at which he can sell his railway transportation, electric light, power, or gas to the public which gives him his franchise; and the certified audit of his company's condition which he displays to the public when he offers his securities for sale will bring the value of his capital to the level where it belongs. Thus if he has shown good judgment and is a good operator of his property, he makes a good profit and an honest profit; if his judgment is poor and he is not a good manager, he does not make a profit and he isn't entitled to any. To say that a man shall capitalize his enterprise at its physical value is rank absurdity. *Its physical cost may be twice its value or only half its value.*

Furthermore, no charge can be made that such legislation is confiscatory, for a group of men who enter a field to develop it, knowing the maximum rate they can charge, do so with their eyes open. The present rates are not to be changed unless the corporation wishes to add more customers or increase its capitalization, which it will want to do if it is a live corporation; and if it is not growing, it is going backward. If it is going backward, it will have to reorganize sometime, and then will have to subscribe to this new order of things.

PHILIP H. FARLEY.

Boston, Massachusetts.

III—COMPLETE FEDERAL CONTROL

Of the foregoing letters upon the subject of regulation of trusts, one is by a well-known reformer, the other by a dealer in stocks and bonds well known to us and whom we gladly introduce to our readers as a representative of a class of dealers who do not forget the public welfare in their regard for the private interests of their customers. It is interesting to observe that these two men, who approach the subject of Government regulation of trusts from such different points of view, agree in certain fundamental principles. They agree that corporations should be brought under Government regulation; they agree that the Government should have a right to examine books and accounts of the great corporations in order to compel honest administration in the interest alike of the purchaser and of the general public; they agree, too, apparently, in the necessity for a certain measure of publicity accompanying this Government regulation. Both of them recognize implicitly, if not explicitly, the value of public opinion in a democratic community to protect the community from dishonesties.

How far and in what manner this Government control over great corporations can best be exercised are questions which we do not think any man can answer, finally, to-day. The answer will come as the result of many opinions, much discussion, and some experiments. Much has been gained by securing a general and, with diminishing exceptions, an almost universal consent to the proposition that great corporations, especially those dealing with the necessities of life, are servants of the public. The mere fact that they receive, by the act of incorporation, special privileges and exemptions justifies the public in exercising a supervision and control over them which it does not attempt to exercise over purely private individuals in the conduct of their business; and this supervisory regulation, while it cannot be exactly defined without

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further discussion, may be, and ought to be, carried far enough to protect the community from those evils which history has shown to be always an inevitable accompaniment of monopoly. In addition to this fundamental principle, certain others, we think, may be laid down as now fairly established, though we do not pretend to give here a complete and comprehensive statement of those principles.

1. The public highways belong in a peculiar sense to the public, and, if left to be administered by private enterprises, as we hope they always may be left, should be brought under such Government regulation as will furnish adequate protection both to the workingmen who administer them and to the public who use them.

2. Analogous Governmental regulation should be extended over all those great combinations of capital which control, or are able to control, public necessities such as fuel, light, food, and the like.

3. Corporations which offer their stocks and bonds for sale in the open market should either be required to publish such easily understandable reports that inexpert purchasers may know the real value of such stocks and bonds, or should be prohibited from issuing stocks and bonds in excess of the value of the property they are supposed to represent. Mr. Farley apparently prefers the former method; we think, for many reasons, that the second method is better.

4. If this method is to be pursued, in order adequately to answer the question whether the proposed issuance is in excess of the value of the property, the Government should have the right and power to estimate the physical cost, although we agree with Mr. Farley that this physical cost does not itself determine the value. It is only one element, though a large element, in determining the value.

5. Corporations whose active operations extend beyond State lines—not merely whose goods are sold beyond State lines—should be subject to Federal supervision and control for the simple reason that a capitalistic organization which extends over a dozen States cannot be justly and adequately controlled by one State. State control in such cases is no control; and that is just neither to the public nor to the corporation.

6. Whether such control should be exerted by requiring such corporations to be incorporated under the Federal law, or by requiring them to take out a Federal license to do inter-State business, or whether it would be sufficient simply to allow such corporations to secure such Federal incorporation or such Federal license, is a question which perhaps only experiment can answer. That the Federal Government has a right under the Constitution of the United States to determine what kind of corporations may engage in inter-State commerce we have no question. But, acting always on the principle of one step at a time, we are inclined to believe that the first step would be permissive legislation—an Act permitting corporations to take out a Federal charter or secure a Federal license and submit to Federal supervision. We are inclined to think that the manifest advantages to such corporations would produce a voluntary habit of Federal incorporation, and that this, if successful in achieving the end, would be better than compulsory legislation.—THE EDITORS OF THE OUTLOOK.

A CITY CHILD

BY ALICE F. TILDEN

Early I wake in the morning and stand at my window high;
The smoke from a hundred chimneys is curling up to the sky;
My flower shakes on the sill as a cold little wind goes by.
(Over the roofs of the city the great gray clouds are sailing.)

I know some day I can climb on the twisting smoke at play,
And ride on the white day-moon till the houses at dusk are gray;
And they'll wonder where I've been, and I'll never, never say.
(Over the roofs of the city the great gray clouds are sailing.)

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FARMING AS A MORAL EQUIVALENT FOR WAR

BY FRANCIS E. CLARK

THAT always interesting pragmatic philosopher, William James, suggested that something should be discovered as a moral equivalent for war. He desired some occupation that will develop manly qualities, that will require grit and vigor, and that will whet what Mr. Roosevelt calls the "fighting edge" of character, which at the same time will be useful for the community and State, and not destructive and barbarous as is war between men and nations. He suggested various useful but humdrum employments, like washing windows, washing dishes, mending roads, fishing on the Grand Banks, and the like, for the gilded and idle youth who now speed in automobiles or loll on piazzas and lead frivolous or vicious lives, a menace to society and the Nation.

I think, with all due deference to the great philosopher, that I can improve on his suggestion, and propose an employment which, in the classic language of the colleges, will "put it all over" these other occupations as a useful development of the fighting instinct, a hardener of muscle, a quickener of the brain, a developer of resourcefulness, and a sharpener of the will on the hard grindstone of opposition.

This occupation is as old as Adam, as respectable as Cincinnatus, as beautiful as the Garden of Eden. It is none other than the ancient and honorable profession of farming.

But what I am chiefly concerned about in this article is not its age, its respectability, or its beauty, but its strenuosity, its useful development of the combative elements in our nature, which were evidently implanted for some good purpose; in fact, as my title indicates, I desire to consider farming as a moral equivalent for war.

Some people are very much afraid that when all our swords are beaten into plowshares, and all our spears into pruning-hooks, the race will deteriorate, the manly virtues, with manly muscles, will become flaccid, and the race of heroes will die out. Do not be afraid of this, my friends, while farms remain to cultivate, and weeds grow, and worms wriggle, and moths fly. Let no one deceive himself on this point. The Creator has furnished for any one who owns or cultivates a rood of land all the opposition that a healthy man needs to keep his fighting edge keen and bright.

Here is my little farm, for instance. It furnishes as good an illustration as any other. The winter's snow and rain and frost no sooner relax their hold on my few acres than the fight begins, and if I fail to be on my guard for a single week—yea, for a single day—the enemy takes advantage of my carelessness, and my forces are routed.

With eagerness I waited for the soil to get sufficiently warm and mellow to plant the first seeds, and, with hope of a glorious harvest, I planted my earliest vegetables, which are warranted to withstand a little frosty nip. My peas and radishes and cauliflower were buried in their appropriate beds, and lovingly left to Nature's kindly care. A little later my corn and beans and cucumbers and melons and squashes were planted, and then my tomatoes and egg-plants were set out.

I fancied that only my family and myself and a few kindly neighbors, who, I was conceited enough to suppose, rather envied my agricultural skill, knew what I was doing. But I was mistaken. Ten thousand little beady eyes watched my maneuvers, ten thousand wriggling creatures congratulated themselves on their coming victory.

I heard the crows in the neighboring pine trees cawing and caucusing together, and, in my manlike folly, which pooh-poohs at anything it does not understand, I said: "Those foolish crows have just one raucous note. Why can't they say something sensible and melodious?"

In reality they were saying to each other: "He's planted his corn; he's planted his corn! I know where I'll get my breakfast to-morrow morn."

Sure enough they did, and as they get

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up an hour or two before I thought of rising, they were in my corn-field long before I was, and the first round of the battle was theirs. To be sure, I could replant my corn, but that was a confession of defeat, as though a general allowed his troops to be mowed down and then had to fill up his regiments with raw recruits, which in turn were just as likely to be slaughtered.

The cutworm brigade of the enemy were more patient than the crows, as they needed to be. They bided their time, and just when the cauliflower and Brussels sprouts and cucumbers timidly pushed their green heads above the brown soil, they bore down upon them, gorged their loathsome bodies with the tenderest juices of the young plants, and left me defeated and my garden strewn with the wilted and dying remnants of the crops that only yesterday gave so fair a promise.

All this in a single night. Each plant had its own worm, just one single worm, but there were enough worms to go around. It was as if the worms met together in a council of war, and the general-in-chief marshaled his troops with consummate skill, assigning to each soldier his post—a cauliflower, cabbage, or cucumber, as the case might be. They all obeyed orders implicitly, and I was routed, horse, foot, and dragoons.

I could have borne the disappointment, and attributed it all to the notoriously uncertain hazards of war, if the enemy had been less wanton, if they had eaten the rations they captured; but no, they simply cut the plants in two, near the ground, and left the beans to wither in the sun and the roots to dry up in the ground. They were like a regiment of looters who could eat but little and carry away nothing, and who, for the mere fiendish pleasure of destruction, burned and ravaged everything that came in their way.

However, I replanted and reset my vines and plants, protected them with fences of tarred paper, and placed mines of "bug death" and "kno worm" around them on every side, and girded up my loins with patience once more.

By that time the battalions of the air were descending on my trees, and I hastened to turn my attention to them. Here I seemed more helpless than before. It was as though the new war aeroplane had been perfected and the enemy came flying from the blue to discomfit me.

The gypsy moth, the brown-tail moth, and, above all, the codling moth, all attacked me from above. The latter flies only by night and does not begin his depredations until honest folks have gone to bed. Then he gets in his deadly work, and, it is estimated, ruins half the apple crop of the United States by his nocturnal attacks.

How cunningly he plans his campaign against this king of fruits! No Napoleon ever better understood the act of harassing the enemy. He waits until the right moment, and when he sees the blossoms falling, he comes flying by myriads to the orchard. He glues his eggs to the embryo apple or near them. In about a week these eggs hatch, and the little worms wriggle their way into the cup-like blossom end of the apple. Here they hide and feed for several days, then bore their way into the apple to the very core, and the days of that apple are numbered. The apple indeed may live and grow, but it will always be a poor, knurly, wormy, worthless thing.

But the codling moth is only one of the enemies of my trees. There are the regiments of lice that get into the leaf and curl it up, and the light infantry of the apple maggot, a tiny worm that burrows into the fruit in all directions, and the tent caterpillar that camps on my trees and houses a thousand troops under the dome of a single tent, and the scale of different kinds, San José and oyster shell and scurvy, all of which attack the bark.

Every tree in my orchard, and every part of the tree, has its own particular enemy. The cherry has the "May beetle," the "rose bug," and the "brown rot." The pears have the "pear tree slug" and the "pear blight;" the plum has the deadly curculio and the "plum gorger;" and the peach has the "yellows" and the "peach rosette."

But not only does every tree have its own enemies, but every part of the tree has its foes. The bark has its borers and its scale, the leaf its lice and curlers, the blossom its moths, the fruit its borers. Each enemy knows exactly the weakest part of the citadel he has to attack. He

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knows the exact moment when his attack will be most effective. He has the accumulated experience of a thousand ancestors behind him. He never makes a mistake in his maneuvers, or fails to avail himself of the psychological moment.

What, then, can I, a mere man, do with a thousand watchful, unwearied foes to combat—a mere man, with only one pair of hands and one poor brain to oppose these multifarious enemies; or, if I do not forget to count my Portuguese assistant farmer, two pairs of hands and two poor brains at the most and best? Shall I give up the fight and call myself beaten by the worm, and the moth, and the crow, and the weed—which I have hitherto forgotten to mention, but which is always ready to spring up and take my plants by the throat and strangle them? By no means! Here comes in the joy of the struggle. Here is the delight of a fair fight and no favor. Quarter is neither asked nor given. I will oppose the wisdom and skill and resources of my kind against worm and weed and moth and bird.

Come one, come all! I defy you to do your worst. I have got my artillery ready. My battery consists of two sprayers, one for the trees and one for the plants. My ammunition is of various kinds, but largely consists of Bordeaux mixture, Paris green, arsenate of lead, whale-oil soap, and tobacco tea.

I spray, and spray, and spray again. As often as the enemy attacks, I sally out to meet him with my long and deadly tube of poison. I do not wait for him always to assume the offensive, but as soon as he shows his head I train my artillery upon him.

It is a fight to the finish. There can be no drawn battle in this war. One or the other must win. Little by little I find my enemy giving way. The spraying pump drives the worms out of their fastnesses. The potato bugs give up the fight. They are conquered by Paris green and the sprayer. The cutworms are overcome by constant watchfulness and frequent replanting. The scale I attack with kerosene emulsion and whale-oil soap. The curculio I knock off and destroy. The tent-worms I burn in their own gauzy tabernacles; and, lo! when autumn comes, in spite of innumerable foes, foes that creep and crawl and fly and bore, I am the victor. My apples are rosy and fleckless, my peaches downy and delicious, my cauliflowers lift up their great white heads out of their chalices of green asking to be plucked, my tomatoes hang red and luscious on their vines, my potatoes are smooth and spotless, my corn is full-eared, sweet and juicy; and if I am not a better and stronger man for my tussle with Nature and the enemies of my farm, then there is no virtue in war and no value in the "fighting edge."

THE NEW BOOKS

Mr. A. T. Quiller-Couch has for some years written no story as attractive as his "Lady Good-for-Nothing." It is a romantic tale of Massachusetts in colonial days, with a singular but not unreasonable situation. Its leading character, a brilliant man of the world, Collector of Boston, is far from being a saintly person, yet he compels the selectmen to put him in the stocks side by side with a poor young girl who has been lashed through the town for breaking the Sabbath and resisting a constable. He takes charge of the maid, brings her up in all honor, makes her a scholar and a woman of rare quality, and is to marry her, but she breaks away at the ceremony because the minister is a hateful and vile sycophant who has insulted her. Her lord knows this, or part of it, and her pride revolts. Nevertheless, her love continues, and the two live a beautiful life in the woods and later in a splendid Italian villa called into existence by vast expenditure and the skill of a noble architect; the union unhallowed by priest is otherwise true and fine. The ending is worked out with art and care, but need not here be told. The book has life and movement, and is written in a manner few romance writers of our day could equal. (Charles Scribner's Sons, New York. $1.20.)

A story of English caravan journeying, as far removed as possible from Mr. Lucas's "The Slowcoach," which Outlook readers have been enjoying, is "Caravaners," by the author of "Elizabeth and her German Garden." A middle-aged Ger-

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man officer and his wife are induced to come to England and spend their vacation in what has come to be a popular method of elaborate gypsying. Unhappily, this German baron has to an exaggerated extent the faults that Englishmen are apt to ascribe to men of his nation and class, to say nothing of some individual traits not at all pleasant. Thus he is not only selfish and greedy, with a view of womanhood which makes a wife a mere servant to her lord, but he is also a snob and a tuft-hunter. To his amazement, under the influence of her English fellow-travelers, his heretofore meek spouse evolves symptoms of intelligence, and even expresses views of her own! The author with surpassing cleverness lets her baron tell the story in his own words, and endows him with such denseness that to the end he never even suspects how other people deride and despise him. The wit is rather more bitter than in some of the author's former books, and perhaps the baron is just a bit too successful in proving himself a bore and a cad. (The Macmillan Company, New York. $1.50.)

"Flamsted Quarries" is an interesting story from beginning to end. It is well conceived and well written. The dignity of labor and the saving power of noble living are shown as essential parts of any worthy character-building. From the moment when good Father Honoré takes little Aileen from the vaudeville show, puts her under the care of the good sisters, and finally secures a home for her, on to the end, when her well-rounded womanliness is the salvation of a repentant man, we are absorbed by the story. Hard blows are directed against the evils of commercial methods in our own country, and there is an underlying conviction that right must win, but there is not a moment when we can honestly question the reality of the people who figure in the tale, or hesitate to accept the just estimate given of faults and virtues. The balance of the book is unusual. The actual pleasure one gets from reading it—sober as its theme is—is most remunerative. We hope for more such well thought out and artistic work from the author of "The Woodcarver of 'Lympus"—Mary E. Waller. (Little, Brown & Co., Boston. $1.)

Howard Pyle's skill in reproducing, both by words and by pictures, the spirit as well as the trappings of romanticism is well known. He has devoted this skill to the stories of the Round Table. To the three volumes of these stories already published is now added the fourth and last, "The Story of the Grail and the Passing of Arthur." There are three parts—"The Story of Sir Geraint," "The Story of Sir Galahad," and "The Passing of Arthur." Somehow Mr. Pyle has achieved the art of making his narrative wear an antique garb and yet of keeping it so natural and clear that children are eager to follow it. The same manner that has made him many friends in his "Merry Adventures of Robin Hood" will keep him their friendship in this volume. His drawings for these stories are not like the half-tone photogravures with which he illustrated his "Garden Behind the Moon," but have the vigorous, simple lines of the wood engraving. The publishers have made the book at once handsome and usable. (Charles Scribner's Sons, New York. $2.50.)

Most books on municipal government treat the subject topically. They consider, for example, the question of city charters as a single topic, and refer to the charters of specific cities as illustrations; so with street franchises, public health, and the like. Dr. Delos F. Wilcox has followed, in his book entitled "Great Cities of America," another plan. He has selected six great American cities for study, and, after a general brief survey, devotes a chapter to each, reaching a summary in a concluding chapter. These cities are Washington, New York, Chicago, Philadelphia, St. Louis, and Boston. This book is not, like Steffens's "The Shame of the Cities," a series of indictments, sentences, and appeals; it is rather a set of compact studies. Dr. Wilcox does not select facts of a certain sort to make a certain point; he rather sets forth the important and characteristic facts regarding each city; and therefore, when he makes his points, he is simply tersely summarizing conclusions to which the facts must lead. If the corruption, the criminal carelessness, the extravagance, the inefficiency displayed by these facts do not leave the reader depressed, it is because there is also presented by these same facts a great deal that justifies hope. If all American cities were in as bad a way as smug, complacent, and infamously corrupt Philadelphia, the prospect would be bad; but they are not. Dr. Wilcox has the imagination to see the truth behind the facts, and the ability to state it with force and vividness. His opening chapter is one of the best essays we have seen on the struggle of democracy with the peculiar conditions presented by cities in the United States, and his concluding chapter is notable for its clarity. This is a book which no unintelligent citizen will want to read, but which every intelligent citizen who has any concern with any city would find profitable reading. (The Macmillan Company, New York. $2.50.)

Another book by the same author is "Municipal Franchises." This is a very much larger work than the other, and very much more technical. It is a valuable treatise on the whole subject of the use of public streets by private concerns for what is avowedly the public service. The first volume, which is before us, deals chiefly with pipe and wire franchises. The second volume, which is yet to be issued, will have to do with local transportation franchises and with the question of taxation and control. As head of the Bureau of Franchises of the Public Service Commission for the First District of the State of New York, Dr. Wil-

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cox has more than a theoretical knowledge of his subject. (The Gervaise Press, New York. $5.)

In his ninety-third year Mr. John Bigelow puts forth a new edition of Benjamin Franklin's Autobiography. The union of these two names is certainly interesting and felicitous. Mr. Bigelow brings just that fine, incisive, critical mind and temper well fitted to deal with a work representing the same characteristics. In the present volume, therefore, we have a contribution both to history and to psychology. Matthew Arnold once said that, to his mind, Benjamin Franklin was "the most considerable man" yet produced in America. Of all Franklin's writings, the Autobiography is the most interesting. It is also the longest. It comprises the years between 1706 and 1757. It was begun in 1771 in England, where Franklin was living as the Agent of the American Colonies. Of the editions of the Autobiography Mr. Bigelow's is distinguished as being unmutilated. The other versions, so we learn, are reprints of a translation from the French, in which language it happened first to be given to the world. The actual text, Mr. Bigelow informs us in his notes in the present volume, was not discovered until about thirty years ago, when he became its fortunate possessor. When Franklin died (1790), he left the Autobiography to his grandson, William Temple Franklin. Shortly after the grandson sailed for England, intending to publish it in a collection of his grandfather's works. That purpose, however, was not realized until nearly a generation later. Meanwhile, in the year following Franklin's death, a French version of the first portion of the Autobiography appeared in Paris. Where was the text obtained from which this translation was made? Mr. Bigelow, who had been Minister to France, became convinced that the original manuscript was there, and ultimately discovered it and bought it. It would seem that Franklin sent to an intimate friend in France a copy of the Autobiography, and that when Temple Franklin went to Europe he asked this friend to exchange copies, the one in France being clearer to the printer. Doubtless Temple Franklin did not know that the one bequeathed by Franklin and entirely written in his own hand was more complete than the copy sent to the French friend. When Mr. Bigelow became the possessor of the original manuscript, he compared it with the edition printed by Temple Franklin, finding many changes in the text and the omission of the last eight pages of the manuscript. Mr. Bigelow also discovered a skeleton sketch of the topics originally proposed by Franklin for treatment in the Autobiography; they cover the whole of Franklin's diplomatic career. To the regret of all students of American history, however, the actual Autobiography ends in 1757 with Franklin's departure for England as Agent of the Colony of Pennsylvania. Mr. Bigelow tells the history of the authoritative Autobiography with what, to some, may seem surprising fullness and detail. But, as he reminds us, no detail relating to Franklin's life or writings can really be deemed trivial or unimportant. (G. P. Putnam's Sons, New York. $1.50.)

A recent addition to the Semitic Series is a volume by the Rev. Samuel Rapaport containing a selection of "Tales and Maxims from the Talmud." A brilliant essay on the Talmud, by the late Emanuel Deutsch, prepares one for an appreciation of the translated selections. Dr. Deutsch desires to approach this greatly misunderstood and largely idealized antiquity in what he terms a human spirit. Paradoxical as it sounds, he declares that there never was a book at once more universally neglected and more universally talked of. Heine glowingly described it in his "Romancero," but had never seen it. An erudite friar held that the Talmud was not a book, *but a man*. Selections have been offered to the public that are as uncharacteristic as would be grinning gargoyles if shown to represent the statues of saints within the cathedrals, and, Dr. Deutsch adds, these samples were held up to mockery and derision with the cry, "These be thy gods, O Israel!" With much learning, and with the rarer qualities of a teacher, Dr. Deutsch goes far to elucidate the mysteries of the Talmud and its influence upon the Jewish nation first, and through it upon all nations. A briefer scholarly introduction is written by the translator. The selections themselves will be found most interesting, if for no other reason than their familiarity of story and precept. (E. P. Dutton & Co., New York. $1.75.)

Readers of The Outlook will recognize four of Mr. Jacob A. Riis's dozen "Hero Tales of the Far North" as having first appeared in its pages. The field he has chosen is a rich one; Americans know little or nothing of these men of great deeds and patriotic ideals, and they will find here stirring stories of Danish soldiers, sailors, rulers, and adventurers who were destined to become historic figures and who left behind them memories of heroic effort and high purpose. Mr. Riis loves his subject and writes with animation and zest. (The Macmillan Company, New York. $1.50.)

The byways and corners of London abound in literary and historical associations. Many of these are missed by American visitors simply because they do not know about the places when they are in the vicinity. In "Nooks and Corners of Old London" Charles and Marie Hemstreet, who wrote a similar book about "Nooks and Corners of Old New York," have arranged a large number of bits of quaint and curious information in such a way that the wanderer may reach the points in consecutive order. The photographs are by W. J. Roberts. (James Pott & Co., New York. $1.)

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LETTERS TO THE OUTLOOK

CONCERNING INDUSTRIAL DEMOCRACY

I have read with much interest Dr. Abbott's articles on "Industrial Democracy." In common with him, I do not like the idea of political Socialism, and I do like the idea of industrial democracy as he defines it. But there are a few fundamental questions precedent to industrial democracy which he does not touch upon in his article of August 20. He aptly illustrates in this way:

> A great cotton factory employs, let us say, a thousand hands, and is owned jointly by a thousand stockholders. The stockholders own the tools and implements with which the business is carried on, the wage-earners are dependent on the stockholders for the right to carry on the business. It is evident that if the thousand employees should become the thousand stockholders the factory would no longer be an autocratic institution; it would be democratic. The workers with the tools would be the owners of the tools and would direct the management of the industry.

But he does not tell us how to remove the hypothetical "if"—"if the thousand employees should become the thousand stockholders." Will he tell us how, under the present unequal and unjust distribution of the fruits of industry, the ten thousand employees of the Steel Corporation are to become the ten thousand stockholders controlling a majority of the stock and directing the management? Will he tell us how the million employees of the railways are to become the owners of the railways, and how they are to direct their management?

Then where does the innocent public come in? Let us suppose that the workers, by the most rigid economy, succeed in getting a majority of the stock in the Steel Corporation. In all probability this will not add much to the spirit of democracy, except within the Corporation itself. They probably will be no more unselfish than the present owners; they probably will be as fond of large salaries and constant dividends, hence will continue to sell their rails to the American public at $30 per ton (the tariff being continued), while selling them abroad at $20. If all this should happen, in what way would the public be benefited by industrial democracy in the Steel Corporation? If the railway employees should get control of the railways through ownership of a majority of the stock, would they squeeze any of the water out of that stock and would they not raise rates in order to raise salaries and pay dividends, just as the present owners do? Granting that the present physical valuation of the railways is not much below their capitalization, the fact remains that a great deal of this was paid for by the public in the shape of "melons." The same remark applies to the mines of the Steel Corporation.

Then there is coal. We are told that practically all the best anthracite mines are owned by the Steel Corporation and the railways. Twenty years ago coal sold at the coast as low as $3 per ton; to-day it is $6 or over. According to evidence brought out by the Inter-State Commerce Commission, the labor cost at the mouth of the mine does not exceed $2; the freight rate to the coast is $1.55. When the miners get possession of the mines, they may keep them in operation and supply us with coal, but will they knock off that extra $2.45? No; that is the "fair return" on their capital, the larger part of which is unearned increment, though it may now be in the hands of innocent purchasers.

Now, if industrial democracy should be brought about, would it bring full relief to the consuming public? I do not see that industrial democracy would bring about a complete spirit of democracy. And if it doesn't, then whither shall we flee?

DAVID Y. THOMAS.
University of Arkansas,
Fayetteville, Arkansas.

[Our correspondent takes one suggestion of The Outlook and omits the others. He fails to recognize the fact that The Outlook and Dr. Abbott, in the article which he criticises, insist upon the right of the people, through their Government, to regulate the great corporations which are operating the highways of the Nation or controlling the necessities of life; and he also fails to recognize the fact that they both insist that the land and its contents belong of right to the entire community, and that where they have not passed with the consent of the community into the hands of private owners they should be retained in the ownership and under the control of the community; and where they have passed into the hands of private owners the community may, by taxing the output of the land, recover, if not its full share, at least a reasonable share of the profit which belongs to it.—THE EDITORS.]

THE LIFE-GIVER

Your editorial on "Jesus Christ a Life-Giver" seems to me most satisfactory and illuminating. But it suggests the question, Can the same canon of interpretation be applied to Jesus' words concerning *divorce?* Must we take his language on this subject as establishing a fixed rule, or only as stating a general principle which we are to apply for ourselves? Where there has been a real moral subversion of marriage, as in case of drunkenness or extreme cruelty, does the Gospel allow of divorce? It would be of great assistance to many ministers when divorced persons come to them for marriage if this question could be answered with the usual clearness of The Outlook's editorials.

Alma, Michigan. JAY CLIZBE.

[Jesus Christ's words concerning divorce do not constitute a fixed rule for the regulation of his Church; they constitute a general principle which the Church must itself apply

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with intelligence in the changed conditions of our time. This is evident from the mere fact that divorce in Christ's time did not mean what divorce means now. In Christ's time any man might send his wife away provided he gave her a writing stating the reasons why he had divorced her. There was no court to which he need apply for permission, and no court to which she could apply for redress. What Christ, therefore, says is that no husband should thus send his wife away except for the one cause of unfaithfulness. Christ has not told us what rule, if any, he would prescribe for the guidance of an impartial court in determining the question whether the married relation should be dissolved or not. To this brief reply to our correspondent we may add three statements: First, that in the decision of that question the law ought not to be governed simply by considering the happiness of the husband and wife; it should consider the well-being of the children and the welfare of society. Second, that the minister in marrying a couple acts as a representative both of the State and of the Church. The parties can be married without coming to the minister as the representative of the Church, and it is entirely legitimate for the Church to refuse to sanction marriages which the State permits. There are many cases in which the ethical standing of the Church is higher than that of the community. Third, in our judgment, the distinction recognized by the law of the State of New York is a sound one. That law allows a legal separation between husband and wife for a variety of causes, and allows the court to decide in whose custody the children should be placed, the decision of the court being wholly determined by the interests of the children; but the law does not allow an absolute divorce, with leave to marry again, except for the one cause of infidelity, and remarrying in that case is legal only for the innocent party.—THE EDITORS.]

SOCIALISM AGAIN

Socialists are likely to be a little slow in accepting Dr. Abbott's leadership, for several minor reasons, prominent among which is his apparent inability to understand the true source and essence of Socialism. To define a cult by collating the points upon which its adherents differ, instead of those on which they agree, is surely less than scientific. Dr. Abbott would be quick to protest if some skeptic, fortifying himself by quotations from eminent divines, should claim that Papal infallibility, arbitrary election, infant damnation, endless torment, the indispensability of immersion, verbal inspiration of the Bible, etc., are essential doctrines of Christianity, and that Dr. Abbott himself, rejecting every one of them, has no right to call himself a Christian! He would very likely reply that the essence of Christianity lies in a filial attitude toward God, a fraternal attitude toward men, and loyal discipleship of Jesus Christ; since in these things all Christians agree, however far apart they may be on minor questions of theology.

So we say that Socialism is essentially a protest against unearned luxury and undeserved want, coupled with the belief that these evils cannot be cured without a more or less extensive reorganization of society in the direction of industrial co-operation. And we reckon as Socialists all who stand upon this platform, Dr. Abbott included, though we may neither be communists, nor levelers, nor free-lovers, nor atheists, nor revolutionists, and though we may not propose to abolish private property, competition, or the wage system—however far we may be, in fact, from agreeing in detail as to the manner and means of bringing about the social reorganization which we believe must some day come.

For another thing, it is particularly depressing to see so erudite a sociologist fall into the vulgar misinterpretation of the Socialist motto, as if it read "From each according to his inclination, to each according to his greed!"—a screed which might more appropriately adorn the flag of the individualist and his radical brother the Anarchist. To aim to arrange our social institutions so that they may tend to secure from each citizen his best possible contribution to the common weal, and for each faithful public servant a reward commensurate with his real needs—is not that a worthy ideal? Is not Dr. Abbott's chief objection to Socialism, as he conceives it, that it does not seem likely to secure to society the best service of which its members are capable, nor to provide for the highest individual needs?

Most Socialists would agree, I imagine, that the tailor and coat thief illustration used by Dr. Abbott in this connection is about at the limit of possible inaptness. The most obvious "need" of the thief would appear to be a term in a well-managed penitentiary, and the implication that social conditions favoring his predatory activities are such as Socialists would promote with a view of securing public service "from each according to his ability" is quite sufficiently grotesque.

Socialists in general, so far as I am aware, welcome the most searching criticism of Socialist programmes, whether the critics be sincere philanthropists like Dr. Abbott or mere Cossacks of the "Plunderbund." We are looking for no private or personal advantage, and if the remedies we suggest are mistaken we want to know it. We only ask objectors to try to understand us, and not content themselves with trampling an image of straw. FREDERICK T. FULLER.

South Walpole, Massachusetts.

[Dr. Abbott's article made it very clear that he recognized various classes or sects of Socialists. His quotations from recognized Socialistic authorities made it clear that there are Socialists who believe in the "Socialistic State," and who use that phrase to describe their ideal of society. It is that

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"political Socialism" which he condemned. So far as Socialism is "a protest against unearned luxury and undeserved want, coupled with the belief that these evils cannot be cured without a more or less extensive reorganization of society in the direction of industrial co-operation," Dr. Abbott and The Outlook agree with it, and his article on "Industrial Democracy" was an attempt to make some contribution toward the solution of the problem, What are some of the first steps to be taken in the direction of such industrial co-operation?—THE EDITORS.]

LOST—A POLICY

The Outlook has done well to remind the country that the Roosevelt Administration had a Conservation policy for public lands owned by the Nation, a policy very simple, very definite, entirely legal, and wholly just. To the landless man it offered a farm without price, with irrigation by the Nation or the State at cost, where irrigation was practicable. To the discoverer of gold, silver, copper, and the like, it left open the opportunity to make or lose all by the purchase of mineral land at a nominal price. To other exploiters of the public lands for commercial profit it offered a reasonable leasehold tenure for a fair rental. Against the men who have dared to adhere to this policy the influenced or uninstructed Eastern press has raised an absurd outcry, denouncing them as impracticable theorists, idle dreamers, empty agitators, etc. ("crazy idealist" is the latest epithet to come under my notice). Yet the Roosevelt Conservation policy was practical above all things. It had considered all the resources of the public lands, and determined the principles which should govern the development and conservation of each. Those governing principles for the mineral fuels are clearly and forcibly stated in the words of President Roosevelt quoted by you. Further quotation would easily show equally clear and definite principles governing grazing, timber, water power, and many other details of public land administration.

The principles thus outlined were worked out in detail in bills prepared with painstaking labor to meet conditions disclosed in the handling of actual cases. I might cite the grazing bill, the mineral fuel leasing bill, and the clause which Mr. Pinchot proposed for fifty-year water power leases, which was killed in the House by the friends of the power companies. Will any capitalist say it is "visionary" to offer him a fifty-year tenure instead of a tenancy at the will of his landlord, which is all he can now get?

But the Roosevelt Conservation policy was even more practical than this. It did not stop with a sound scheme of legislation. It was actually put in force as an administrative measure so far as existing laws would permit. Thus the Forest Service devised a system of water power leases carefully worked out to meet actual business conditions while restraining monopoly, and secured for it the approval of the Attorney-General and a Circuit Court of the United States, all on the basis of a statute which is equally available to the Secretary of the Interior for the control of power development outside National Forests, as it is controlled inside. This system set up by the "crazy idealist" yet continues to prevail in the Forests, and there alone of all lands owned by the Government can any power development whatever be undertaken to-day. The "practical" men have locked up all the water resources elsewhere to await the pleasure of Congress and goad the Western people to fury against "Conservation" by offering them this stupid and wasteful counterfeit.

So with coal. The "lawless minds" of the Roosevelt Administration dared to believe that the coal land law, in saying that coal land should be sold for "not less than" ten dollars an acre, meant that it could be sold for more if actually worth more. Accordingly it was appraised and sold for what it was worth. The "practical men" have not yet dissipated this idle dream. On the contrary, they have marked up the prices.

The New York "Times," moved perhaps by Mr. Schiff's letter, to which you refer, cites the withdrawal of Alaska coal lands as an instance of the folly of visionary Conservationists. Here is a great need of coal and rich coal deposits. Why should the deposits be locked up? The answer is perfectly simple, and is found in the Heyburn Act of 1904. That Senator Heyburn is the most "practical" of men is conclusively proved by his long-continued and virulent hostility to every phase of the Conservation movement. That statute fixed the price of coal land in Alaska at *ten dollars per acre flat*, regardless of its actual value. That is the sufficient and only reason why it is necessary to keep the exceedingly valuable coal lands of Alaska withdrawn from sale until Congress shall authorize them to be sold (as they are elsewhere) at their actual value, or to be leased. The official press bulletin of the Geological Survey, dated August 6, 1910, calculating the amount of coal in the Matanuska fields at the low price of one-half a cent per ton in the ground, estimates the actual value of the land at from $50 to $500 per acre. At this rate the famous Cunningham claims should sell for between $250,000 and $2,500,000. The Heyburn Act price is $52,000.

PHILIP P. WELLS,
Counsel National Conservation Association.

BRITISH SONG BIRDS

I make no apology in submitting some facts that might be of interest to your readers as addenda to Mr. Roosevelt's article on "English Song Birds" in the August issue of The Outlook.

The woodlark, a shy and retiring bird of the woods, has a more appealing song than its congener the skylark. It does not, however, like the latter bird, "preach from the housetops." By wren is meant, from the descrip-

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tion given, the common or "Jenny Wren," which, as pointed out, is a fairly accurate representation of our winter wren as to color and general habits. Mr. Roosevelt probably saw the blue tit or tomtit, and not the cole-tit (spelled in the article referred to "coal"). The tomtit is ubiquitous. It is a pity that Mr. Roosevelt should have adopted Mr. Yarrell's nomenclature in the case of the hedge-sparrow (hedge accentor—Yarrell). The old name, however, clings. The wood-pigeon is the ring-dove or cushat, differing only in size and presence of the neck-ring from the stock-dove. Mr. Roosevelt was fortunate in seeing the turtle-dove and unfortunate in not having seen or heard the bull-finch, whitethroat, gray wagtail, yellow wagtail, linnet, tree pipit, and meadow pipit. He was already familiar, presumably, with the starling in and around New York City. The English meadow pipit is similar to the American titlark, and perhaps more so to the Sprague pipit, which the writer, in the summer of 1906, had the pleasure of observing almost daily in Saskatchewan, Canada. The eggs of both are characterized by their extremely dark color. The hedge-sparrow referred to is a close relative of the song-sparrow.

Most Americans, like the distinguished writer of the article in question, are amazed at the plentifulness of British birds and the ease with which they may be observed: yet one may witness the wholesale snaring of linnets, goldfinches, and greenfinches by means of bird-lime; the netting of fieldfares in the depth of winter when the birds are practically helpless; the "dragging" of fields by night, and the capturing of larks by means of mirrors; yet there is no apparent diminution in bird life and no consequent deploring of the fact. The average English child and man look upon a bird not as a target but as a friend, and English fathers see to it that air-guns and children are kept apart. Where no fear is, songsters will approach the very door. The sparrow is blamed but not unduly abused except by semi-fanatics, surface observers, and—some others.

Some of the rarer British birds which the writer has seen are: Peregrine falcon, kite (nest), raven, chough (nest), great spotted woodpecker, great northern diver, water-rail (shot—most difficult of observation), jack-snipe (frequently shot).

(Rev.) JOHN T. LEWIS.

Monticello, Florida.

AN INVITATION

The Student Committee of Trinity Church, Boston, consisting of the clergy and certain ladies of the parish, will be glad to have sent to it the names and school addresses of young women who are coming to Boston this fall as students in the various colleges and schools of the city. The Committee is fortunate in having a graduate of Smith College as a student visitor, and desires to meet the new students and to make them welcome to the church during their stay in Boston. The Committee also stands ready to aid the students in the matter of selecting lodgings and to be of any other service that it can to them. Every year some thousands of young women students come to Boston as strangers, and it is believed that many of them would be glad to know some of the clergy and church women of the city. Names and addresses should be sent to the Secretary of the Committee, Miss Bertha Louise Goldthwaite, Trinity Church, Boston (the Rev. Alexander Mann, Rector).

ETHICS FOR LAWYERS

In your issue of July 30 you have an editorial, "Ethics for Lawyers," in which it seems you intended to give the names of the State Bar Associations which have adopted canons of ethics as recommended by the American Bar Association. Permit me to call your attention to the fact that you have overlooked the Bar Association of South Carolina, which adopted the code of ethics as recommended by the American Bar Association on the 15th day of January, 1909. See transactions of the sixteenth annual meeting of the South Carolina Bar Association, pages 7, 48 to 60. J. K. OWENS.

Bennettsville, South Carolina.

THE CITIZENS AND CONSERVATION

I feel that the citizens of the Western States should protest against the misrepresentation of their position on Conservation lately given out by a gathering of Governors. According to the Governors, the people of the West favor turning lands, power sites, etc., over to the State authorities, instead of continuing such ownership in the Federal Government. That the Governors, State officials, and machine politicians really want these things handed over to the States is undoubtedly true. It is just as undoubtedly true that four out of every five citizens not directly interested in securing public lands are decidedly in favor of continuing the title of all public property in the National Government. It will be fat picking for rich men and rich corporations when these things are turned over to the State authorities of Colorado. L. P. BARBOUR, M.D.

Rocky Ford, Colorado.

ESPERANTO

As there has been much irresponsible criticism of Esperanto, especially on the occasion of the recent International Convention in Washington, I want to offer an opportunity for every thinker to judge for himself. I have had prepared 100,000 brief grammars of the language in pamphlet form, and will send one free to any person who is sufficiently interested to ask for it, inclosing stamp for reply. This great movement for an international auxiliary language now embraces *fifty nations* in its scope.

ARTHUR BAKER,
Editor "Amerika Esperantisto."

700 East Fortieth Street, Chicago.

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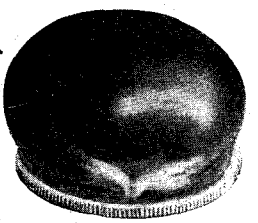

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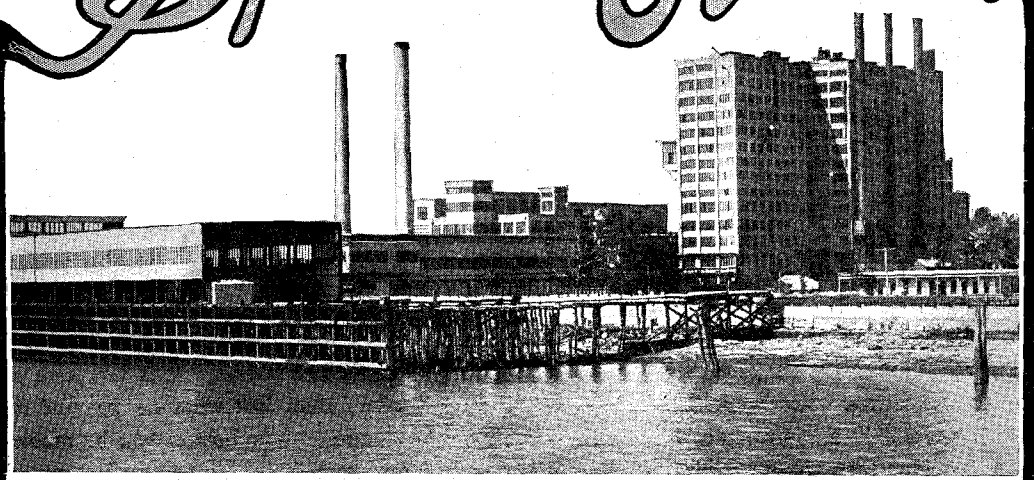

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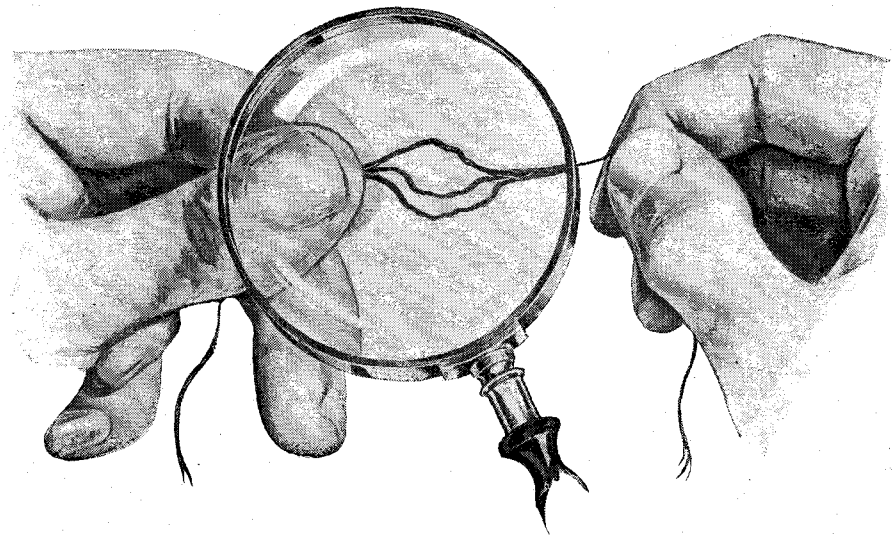

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The above illustration shows a piece of the yarn used in Holeproof Hosiery twisted to show the three strands. The yarn costs us an average of 70 cents per pound. It is Egyptian and Sea Island cotton. We could buy common 2-ply yarn for less than half what we pay for this. But three strands are stronger, therefore the yarn can be thinner. The hosiery can be made in lighter weights than when a 2-ply yarn is used and still be guaranteed six months. "Holeproof" are the original guaranteed hose; soft, light weight and absolutely dependable.

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Write for free book, "How to Make Your Feet Happy."

Holeproof Hosiery Co., 513 Fourth St., Milwaukee, Wis.

Tampico News Co., S. A., City of Mexico, Agents for Mexican Republic

Are Your Hose Insured?

Reg. U. S. Pat. Office, 1906

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An Advertisement by Elbert Hubbard

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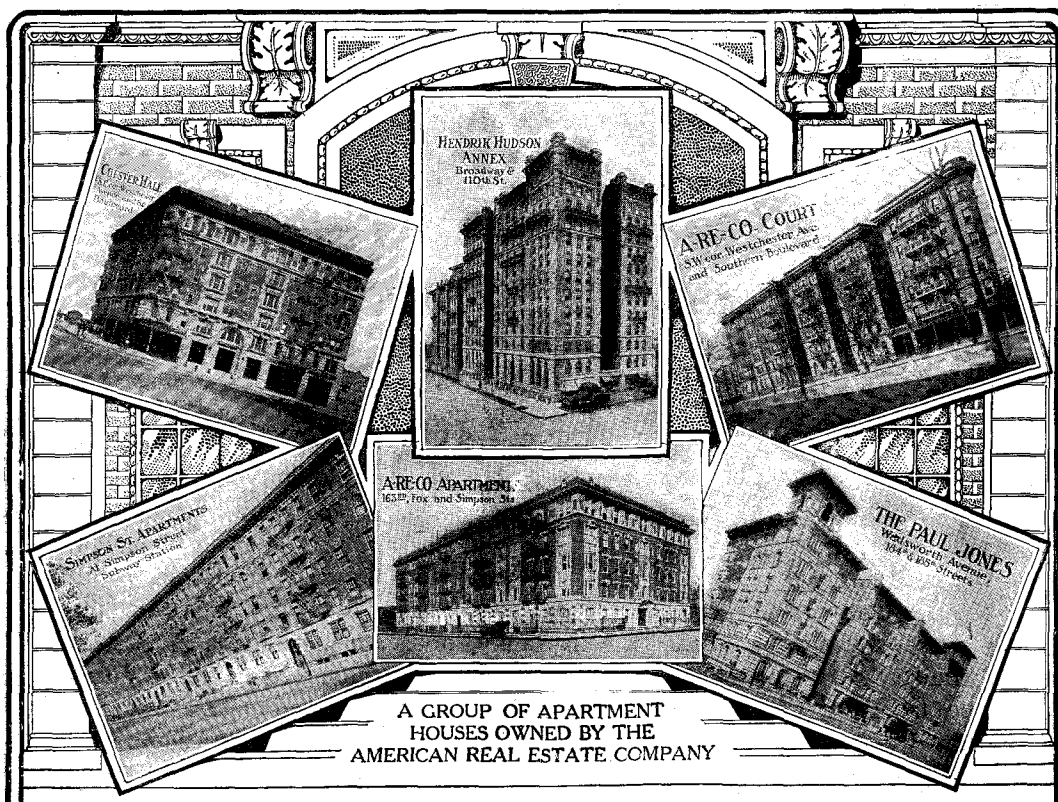
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